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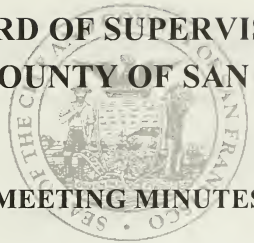
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, April 3, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Avalos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 28, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

120046 [Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]

Sponsors: Kim; Avalos, Campos, Chiu, Olague and Mar

Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.

NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only veto in favor or in opposition to veto override. The Mayor's veto was received on April 10, 2012. Therefore, the Board of Supervisors will lose the ability to override unless it votes on the veto override on or before May 10, 2012.

FINALLY PASSED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120124 [Agreement - BAE Systems - Shoreside Power at Drydock #2 - Pier 70 - Not to Exceed $5,700,000]

Sponsors: Mayor; Cohen and Chu

Ordinance authorizing the Director of the Port to execute an agreement with BAE Systems San Francisco Ship Repair to install shoreside power equipment at Drydock #2 at Pier 70 for an amount not to exceed $5,700,000 and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.
(Fiscal Impact)

Supervisor Chu requested to be added as a co-sponsor.

Privilege of the floor was granted to Brad Benson (Port) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120222 [North Beach Branch Library - Environmental Findings and Bond Proceeds]
Sponsors: Mayor; Chiu and Chu
Ordinance adopting environmental findings with respect to the North Beach Branch Library and approving the expenditure on the North Beach Branch Library of bond proceeds of lease revenue bonds previously authorized and issued to finance various projects under the Branch Library Improvement Program, as further described herein; granting general authority to City officials to take certain actions in connection with the expenditure of bond proceeds; and ratifying previous actions taken in connection therewith.

Supervisor Chu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120223 [Appropriating $6,259,742 of Fund Balance and General Obligation Bond Proceed Interest Earnings to the Public Library in FY2011-2012]
Sponsors: Mayor; Chiu and Chu
Ordinance appropriating $6,259,742 consisting of $5,778,742 in Library Preservation Fund unappropriated fund balance and $481,000 in interest earnings from the Branch Library Improvement Program (BLIP) General Obligation Bond proceeds to the Public Library in FY2011-2012 for the completion of remaining projects in the BLIP.

Supervisor Chu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120178 [2012 Annual Joint Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2012 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 112-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120201 [Equipment Lease - 2012 Finance Corporation Equipment Program - Revenue Bonds - Not to Exceed $10,500,000]
Sponsor: Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 18 (Series 2012A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $10,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
(Fiscal Impact)

Resolution No. 113-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120225 [Accept and Expend Grant - Institute for Local Government - $40,615]
Sponsor: Cohen
Resolution authorizing the Adult Probation Department on behalf of the Reentry Council of San Francisco to retroactively accept and expend a grant in the amount of $40,615 from the Institute for Local Government, as a sub-recipient of a grant award made by the Rosenberg Foundation, for activities related to the implementation of the California Reentry Council Network.

Resolution No. 114-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120226 [Accept and Expend Grant - Egg Quality Control Program - $3,883.76]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a State grant in the amount of $3,883.76 from the California Department of Food and Agriculture, to participate in a program entitled Egg Quality Control Program for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Resolution No. 115-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120228 [Accept and Expend Grant - Boeddeker Park - $493,000]
Sponsors: Mayor; Kim
Resolution authorizing the Recreation and Parks Department to accept and expend an Urban Greening Grant in the amount of $493,000 for Boeddeker Park funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Resolution No. 116-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120229 [Taxable and/or Tax-Exempt Certificates of Participation for Various Capital Improvements - Official Statement]
Sponsor: Mayor
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for Various Capital Improvements and authorizing the preparation, execution and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.
(Fiscal Impact)

Resolution No. 117-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Government Audit and Oversight Committee

120189 [Memorandum of Understanding, Amendment 2 - Service Employees International Union, Local 1021]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

110853 [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]
Sponsors: Mayor; Chiu
Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and to extend the fee to all non-residential projects that involve construction of a new building or addition of floor area in excess of 25,000 square feet and that have submitted their first complete Development Application on or after January 1, 2013, on the following parcels: (a) all parcels in RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-M, and UMU Districts; (b) properties that are zoned MUG, MOU, or MUR and that are north of Division/Duboce/13th Streets; and (c) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and 7295 (Stonestown Galleria Mall); 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111337 [Planning Code - Extension of Time for Legitimization of Existing Eastern Neighborhoods Uses]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Section 179.1(b) to: 1) extend through November 12, 2012, the period of time in which existing uses in the Eastern Neighborhoods area that have operated without permits may file an application for determination of eligibility for legitimization; 2) establish a deadline within which the applicant must proceed with the legitimization process; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120312 [Hearing - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements]

Hearing of persons interested in or objecting to proposed Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Ordinance approving certain improvements to Port Property for the 34th America's Cup Project and authorizing waiver of certain bidding and contracting requirements as referenced in File No. 120282. Brad Benson (Port) provided an overview and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Supervisor Kim was noted absent at 3:39 p.m. and noted present at 3:55 p.m.
Supervisor Campos was noted absent at 3:39 p.m. and noted present at 3:51 p.m.
Supervisor Olague was noted absent at 4:02 p.m. and noted present at 4:22 p.m.

From the Budget and Finance Sub-Committee Without Recommendation

120282 **[Contract Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Waiver of Certain Bidding and Contracting Requirements]**
Sponsor: Mayor

Ordinance 1) authorizing the Port to amend a contract between the Port and Turner Construction Company to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 2) alternatively, authorizing the Port to execute an agreement between the Port and one of the next highest-ranked proposers, in order of rank, for the Pier 27 Cruise Ship Terminal and Northeast Wharf Plaza Project, to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 3) authorizing the Port to contract with the America's Cup Event Authority for assignment to the Port of its contract with Power Engineering Construction Company for improvements to Piers 30-32 only; 4) authorizing the Port to enter into a contract with AECOM for construction-design engineering services for improvements to Piers 30-32 related to the 34th America's Cup Event; and 5) waiving competitive bidding and solicitation requirements of Administrative Code Sections 6.20, 6.21, 6.68(A)-(F), 6.40, and 6.41, and requirements of Administrative Code Sections 14B.19(C)(1)-(5). (Fiscal Impact)

Supervisor Chu, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, by accepting the Budget and Legislative Analyst recommendations. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Olague, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague introduced, welcomed, and presented a Proclamation to Susan Strolis of the Haight Ashbury Improvement Association and the Friends of Sharon Art Studio in recognition of her community engagement, advocacy, activism and deep commitment to the Haight-Ashbury neighborhood.

Supervisor Mar introduced, welcomed, and presented a Proclamation to the Richmond District YMCA in recognition of the organization's 90th Anniversary, their accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

120183 [Public Hearing - Conditional Use Appeal - 1111 California Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 19, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0471C, by its Motion No. 18520, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, located at 1111 California Street, Assessor's Block No. 0253, Lot No. 020. (District 3) (Appellants: Stephen Gomez on behalf of the Nob Hill Coalition, James Wall on behalf of the Nob Hill Association, William Terrell, Elizabeth Pomada, Donna Muse, and Aldo Caccamo) (Filed February 21, 2012).

The President indicated receipt of a settlement agreement by certain parties and inquired as to whether any member of the public wished to address the Board. Stanley Landfair (Appellant) provided an overview of the settlement agreement and responded to questions raised throughout the discussion. Steve Vettel (Project Sponsor) provided an overview of the settlement agreement. Bob Varni and Jim Miller (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. David Harman; Hiroshi Goodall; Greg Scott; Don Humphreys; Linda Chapman; Annette Brubaker; spoke in support of the appeal. AnMarie Rodgers and Kevin Guy (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steve Vettel (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Stanley Landfair; spoke in support of the project and in opposition to the appeal. Bob Varni (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street; Approving Conditional Use as Modified by the Board of Supervisors]

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and authorizing conditional use on property located at 1111 California Street as modified by the Board of Supervisors on April 3, 2012. (Clerk of the Board)

Motion No. M12-042

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120186 **[Preparation of Findings Related to the Conditional Use Authorization - 1111 California Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street. (Clerk of the Board)

Motion No. M12-043

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

From the Rules Committee Without Recommendation

111082 **[Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]**

Sponsors: Kim; Campos, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

Supervisor Elsbernd moved to divide the question relating to "Section 1.144(d)(4)" located on Page 15, Lines 10-13. The question PASSED AS DIVIDED by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Francisco Da Costa, expressed various concerns.
Eugene Gordon Jr.; expressed concerns relating to the pledge of allegiance.
Barbara Tengeri, expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Brad Newshum; expressed various concerns relating to the taxi cab industry.
Douglas Yepp; expressed various concerns.
Emil Lawrence; expressed various concerns.
Mary Walker; expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Mattie Scott; expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Christopher Fulkerson; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various religious concerns.
Benjamin Dallas; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Tara Housman; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Han Su Kim; expressed various concerns relating to the taxi cab industry.
Scott Kiper; expressed various concerns relating to development.
Mark Gruberg; expressed various concerns relating to the taxi cab industry.
Lisa Pardenas; expressed various concerns relating to the taxi cab industry.
Female Speaker; expressed various concerns relating to the taxi cab industry.
Bikhayrat Muhammadiev; expressed various concerns relating to the taxi cab industry.
Gary Carlgul; expressed various concerns relating to the taxi cab industry.
Jason Aames; expressed various concerns relating to the taxi cab industry.
Eden Kimball; expressed various concerns relating to the taxi cab industry.
Peter Warfield; expressed concerns relating to the SF Public Library.
Ko Lee; expressed various concerns relating to the taxi cab industry.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120306 **[Apply For - Housing Related Parks Grants]**
Sponsors: Mayor; Cohen and Kim
Resolution authorizing the Recreation and Parks Department to apply for grants from the California Department of Housing and Community Development.

Resolution No. 118-12

ADOPTED

120307 [Accept and Expend Grant - Books to Action - Economic Empowerment Book Club - $2,398]

Sponsors: Olague; Chu

Resolution authorizing the Public Library to accept and expend a Federal/State pass-through grant in the amount of $2,398 from the California State Library as part of the Federal Library Services and Technology Act to utilize highly skilled volunteers to assist young adults with their financial management needs.

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 119-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No.120311 be severed so that it may be considered separately.

120311 [Committee of the Whole - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements - April 3, 2012]

Sponsor: Chiu

Motion scheduling the Board to sit as a Committee of the Whole on April 3, 2012, at 3 p.m., to hold a public hearing and consider an Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event.

Motion No. M12-041

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

Supervisor Olague requested that File No.120292 be severed so that it may be considered separately.

120292 [Supporting Assembly Bill 1831 - Regarding Expansion of California's "Ban the Box" Policy]

Sponsors: Olague; Campos and Avalos

Resolution supporting Assembly Bill 1831, which expands California's "Ban the Box" policy for state and public employees to city and county workers statewide.

Resolution No. 107-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Introduced by a Supervisor or the Mayor

Ordinances

120300 [Planning Code - Article 10 - Landmarks Preservation]
Sponsors: Wiener; Olague
Ordinance amending the San Francisco Planning Code Article 10 in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

03/27/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/26/2012.

04/03/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120317 [Transportation Code - Fare Evasion and Clipper Card Regulations]
Sponsor: Chiu
Ordinance amending the San Francisco Transportation Code, Division I, Article 7 (Transit Violations) Sections 7.2.101 and 7.2.104 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service and clarify that failure to tag a Clipper card transponder or card reader is a violation of Section 7.2.104; and making environmental findings and technical corrections.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120318 [Police Code - Additional Penalties for Foreclosed Properties]
Sponsor: Cohen
Ordinance amending the San Francisco Police Code Article 1 and adding Sections 96 to 96.6 to permit the City and County of San Francisco to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120319 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2011-2012]
Sponsor: Mayor
Ordinance recognizing revenue losses of $31,477,332 in the Department of Public Health and appropriating $67,629,934 of Senate Bill 1128 Reimbursement Revenues, $25,620,000 of surplus General Hospital Revenues, and $6,555,007 of General Fund Reserves for State Revenue losses to support additional expenditures in the Department of Public Health including $28,160,000 at San Francisco General Hospital, $13,090,000 at Laguna Honda Hospital, and $27,077,609 for a debt service reserve in FY2011-2012.
(Fiscal Impact)

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120320 [Appropriating $2,694,000 for Nurses Salaries in FY2011-2012]
Sponsor: Mayor
Ordinance appropriating $2,694,000 for Nurses Salaries to the Department of Public Health in FY2011-2012.

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120321 [Accept and Expend Grant - FY2011 Urban Areas Security Initiative Grant and Amendment to Annual Salary Ordinance - $35,546,960]
Sponsors: Mayor; Chiu
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative Approval Authority (UASI), to retroactively accept and expend a UASI grant in the amount of $35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120322 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]
Sponsor: Olague
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

04/03/12; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

Resolutions

120323 [Accept and Expend Grant - FY2010 Buffer Zone Protection Program Grant - $585,000]
Sponsor: Chiu
Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Buffer Zone Protection Program grant in the amount of $585,000 from the U.S. Department of Homeland Security through the California Emergency Management Agency to fund critical infrastructure protection needs.

04/03/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120324 [Supporting Assembly Bill 1081 - The TRUST Act]
Sponsors: Campos; Avalos, Chiu, Kim, Mar, Olague and Wiener
Resolution supporting Assembly Bill 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. Citizens.

04/03/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120326 [Urging the San Francisco Municipal Transportation Agency to Permit Strollers on Muni Vehicles]
Sponsors: Chiu; Elsbernd and Mar
Resolution urging the San Francisco Municipal Transportation Agency to permit strollers on Muni vehicles and to adopt stroller policies that give parents and caregivers better access to public transportation.

04/03/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120327 [Urging Opposition to Governor Brown's Proposal to Raise the Cal Grant Threshold]
Sponsors: Kim; Mar
Resolution urging the California State Legislature to oppose California Governor Jerry Brown's proposal in the 2012-2013 budget that would raise the bar for Cal Grant financial aid.

04/03/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

120330 [Closed Session - Update on Labor Negotiations]
Sponsor: Chiu
Motion that the Board of Supervisors convene in closed session on April 10, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

04/03/12; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing

120328 [Hearing - Creation of an Office of Early Childhood Education]
Sponsors: Avalos; Farrell, Wiener, Chu and Chiu
Hearing on the creation of an Office of Early Childhood Education (ECE), consolidating ECE functions of various City departments such as the Department of Children, Youth, and Families, Department of Public Health, First Five Commission, and Human Services Agency.

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120329 [Hearing - Recreation Areas for Youth at Juvenile Justice Center]
Sponsors: Chiu; Avalos and Olague
Hearing on the accessibility of recreation areas for youth at the Juvenile Probation Department's Juvenile Justice Center and the Department's physical education program, including a discussion of the Department's capital priorities and its physical education program's compliance with state law.

04/03/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120271 [Zoning Map Amendment - 8 Washington Street Project]
Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012

120272 [General Plan Amendment - 8 Washington Street Project]
Ordinance: 1) amending the San Francisco General Plan Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Area Plan as part of the 8 Washington Street Project (Assessor's Block No. 0201, Lot No. 012); and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120274 [Park Code - Amending Golden Gate Park Concourse Underground Parking Facility and Other Certain Fees; and Changing Controller Reporting Requirements]
Ordinance amending the San Francisco Park Code, Article 12, by: 1) amending Section 12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden Gate Park Concourse Underground Parking Facility; 2) amending Section 12.20 to clarify the requirements for annual fee adjustments; and 3) adding a new Section 12.49 to ratify prior fees and fee adjustments; and making environmental findings and findings of consistency with general plan. (Recreation and Park Department)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED to Budget and Finance Sub-Committee.

04/03/12; REFERRED TO DEPARTMENT.

04/03/12; RESPONSE RECEIVED.

PROPOSED RESOLUTIONS

120270 [Approval of Public Trust Exchange; Agreement to Sell Portion of Seawall Lot 351 in Exchange for Portion of Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; Approval of Lease and Maintenance Agreement]

Resolution approving and authorizing a Purchase and Sale Agreement with San Francisco Waterfront Partners II, LLC for the sale by the San Francisco Port Commission of unimproved real property located on Seawall Lot 351 at the corner of The Embarcadero and Washington Street in exchange for a portion of real property located on Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12 having an address at 8 Washington; approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from such portion of Seawall Lot 351 and impressing the public trust on such portion of real property located on Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; approving and authorizing a 66-year Lease with San Francisco Waterfront Partners II, LLC for real property near The Embarcadero and former Pacific Street; approving and authorizing a Maintenance Agreement with San Francisco Waterfront Partners II, LLC for the maintenance of open space bound by The Embarcadero, Washington Street and Drumm Street; adopting environmental findings and findings of consistency with the General Plan and the eight Priority Policies of City Planning Code Section 101.1; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/3/2012.

120273 [Re-Appointment - Local Homeless Coordinating Board - Christine Ma, M.D.]

Resolution re-appointing Christine Ma, M.D., for a term expiring October 21, 2015, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

03/27/12; RECEIVED FROM DEPARTMENT.

04/03/12; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriams

Robert Stanfill - Supervisors Elsbernd and Farrell
Lawrence Richardson - Supervisor Olague

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:03 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 8, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
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Tuesday, April 10, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Cohen was noted absent.

Supervisor Cohen was noted present at 2:06 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of March 6, 2012, and the March 7, 2012, Special Meeting Minutes at the Budget & Finance Committee Meeting (File Nos. 120061 and 120107). The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor communicating the Mayor's Veto of legislation contained in File No. 120046 regarding participation in Federal counterterrorism activities.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120313 [Formal Policy Discussions - April 10, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District 4, 6, 8, 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. SPUR's Ocean Beach Master Plan is the result of a two year public process involving local, state, and federal agencies, as well as environmental groups, residents, and other key stakeholders. The plans goals include improving access, protecting and restoring ecological resources, while also protecting critical infrastructure as sea level rise and erosion concerns deepen. Having been briefed by the inter-agency steering committee on this work, what is your commitment to continuing this collaborative effort and in evaluating the feasibility of its near and long-term recommendations? (Supervisor Chu, District 4)

2. This past Thursday, I held a hearing at the Rules Committee regarding our shelter system and many of our senior constituents and constituents with disabilities shared their experience with the shelter system including their challenges in accessing shelter due to long lines waiting at reservation centers for long term beds and the futile chase around the city to multiple sites, their concerns around their safety while waiting in line and challenges of routinely getting one night beds. We understand that shelter is housing of last resort for over 1000 San Franciscan and our goal is to provide those people with permanent affordable housing. What specific initiatives could the Mayor's Office explore in conjunction with HSA, DPH, HOPE and Mayor's Office of Disability to make shelter reservations more accessible and also make capital improvements and on-site services in our shelters to accommodate our seniors and individuals with disabilities? (Supervisor Kim, District 6)

3. On January 24, 2012, I called for a hearing focusing on streetlight issues in the City. I have invited PG&E and various other City agencies to provide an update on efforts to address the frequent lack of responsiveness to community requests for maintenance of street lights and augmentation of sidewalk lighting for pedestrian safety. San Franciscans are frustrated. What do you think are the problems with street and sidewalk lighting, and will you work with me to find solutions? (Supervisor Wiener, District 8)

4. In District 10 we continue to have a number of public safety challenges. My office, the Police Department and members of the community have worked diligently to build strong relationships with one another and work together to address some of these challenges. However, the staffing levels at the Bayview and Ingleside Police stations continue to be lower than what is needed to service the district. Additionally, we are seeing more and more officers getting ready to retire in the near future. Are you supportive of increasing the number of police academy classes in this coming fiscal year? What are your strategies for ensuring that district stations have the resources they need to continue collaborative community policing strategies? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

120124 [Agreement - BAE Systems - Shoreside Power at Drydock #2 - Pier 70 - Not to Exceed $5,700,000]
Sponsors: Mayor; Cohen and Chu
Ordinance authorizing the Director of the Port to execute an agreement with BAE Systems San Francisco Ship Repair to install shoreside power equipment at Drydock #2 at Pier 70 for an amount not to exceed $5,700,000 and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.
(Fiscal Impact)

Ordinance No. 060-12

FINALLY PASSED

120222 [North Beach Branch Library - Environmental Findings and Bond Proceeds]
Sponsors: Mayor; Chiu and Chu
Ordinance adopting environmental findings with respect to the North Beach Branch Library and approving the expenditure on the North Beach Branch Library of bond proceeds of lease revenue bonds previously authorized and issued to finance various projects under the Branch Library Improvement Program, as further described herein; granting general authority to City officials to take certain actions in connection with the expenditure of bond proceeds; and ratifying previous actions taken in connection therewith.

Ordinance No. 054-12

FINALLY PASSED

120223 [Appropriating $6,259,742 of Fund Balance and General Obligation Bond Proceed Interest Earnings to the Public Library in FY2011-2012]
Sponsors: Mayor; Chiu and Chu
Ordinance appropriating $6,259,742 consisting of $5,778,742 in Library Preservation Fund unappropriated fund balance and $481,000 in interest earnings from the Branch Library Improvement Program (BLIP) General Obligation Bond proceeds to the Public Library in FY2011-2012 for the completion of remaining projects in the BLIP.

Ordinance No. 055-12

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

120189 **[Memorandum of Understanding, Amendment 2 - Service Employees International Union, Local 1021]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.

Ordinance No. 056-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

110853 **[Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]**
Sponsors: Mayor; Chiu
Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and to extend the fee to all non-residential projects that involve construction of a new building or addition of floor area in excess of 25,000 square feet and that have submitted their first complete Development Application on or after January 1, 2013, on the following parcels: (a) all parcels in RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-M, and UMU Districts; (b) properties that are zoned MUG, MOU, or MUR and that are north of Division/Duboce/13th Streets; and (c) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and 7295 (Stonestown Galleria Mall); 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 062-12

FINALLY PASSED

111337 [Planning Code - Extension of Time for Legitimization of Existing Eastern Neighborhoods Uses]
Sponsor: Cohen
Ordinance amending the San Francisco Planning Code Section 179.1(b) to: 1) extend through November 12, 2012, the period of time in which existing uses in the Eastern Neighborhoods area that have operated without permits may file an application for determination of eligibility for legitimization; 2) establish a deadline within which the applicant must proceed with the legitimization process; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 061-12

FINALLY PASSED

120288 [Acceptance of Gift of Nursery for Golden Gate Park Botanical Garden]
Sponsors: Mar; Olague and Chu
Resolution accepting a gift-in-place to the City and County of San Francisco of the San Francisco Botanical Garden Nursery: Center for Sustainable Gardening valued at approximately $14,000,000; and making findings, including environmental findings.

Resolution No. 125-12

ADOPTED

Recommendations of the Rules Committee

120134 [Settlement of Lawsuit - Timothy Hoyt - $80,000]
Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for $80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120163 [Settlement of Lawsuit - Patricia Banks - $50,000]
Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for $50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120164 [Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - $425,000]
Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for $425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403; entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)

PASSED, ON FIRST READING

120181 [Settlement of Lawsuit - Christine Peterson - $34,000]
Ordinance authorizing settlement of the lawsuit filed by Christine Peterson against the City and County of San Francisco for $34,000; the lawsuit was filed on November 25, 2009, in San Francisco Superior Court, Case No. CGC-09-494798 (Consolidated with Case No. CGC-10-500217); entitled Christine Peterson, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120182 [Settlement of Lawsuit - Wilma Espinosa - $275,000]
Ordinance authorizing settlement of the lawsuit filed by Wilma Espinosa against the City and County of San Francisco for $275,000; the lawsuit was filed on March 9, 2011, in San Francisco Superior Court, Case No. CGC-11-508999; entitled Wilma Espinosa, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120187 [Settlement of Lawsuit - Airis v. CCSF, et al. - $7,500,000]
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings, LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for $7,500,000; the lawsuit was filed on July 15, 2005, in San Mateo Superior Court, Case No. 448274, entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and post judgment interest. (City Attorney)

PASSED, ON FIRST READING

120238 [Settlement of Lawsuit - Fonseca v. Fong, et al. - $73,000]
Ordinance authorizing settlement of the lawsuit filed by Charles Fonseca against the City and County of San Francisco for $73,000 in attorney's fees and costs; the lawsuit was filed on May 4, 2007, in San Francisco Superior Court, Case No. CPF-07-507227; entitled Fonseca v. Heather Fong, et al. (City Attorney)

PASSED, ON FIRST READING

120239 [Settlement of Lawsuit - Preston, et al. v. CCSF, et al. - $100,000]
Ordinance authorizing settlement of the lawsuit filed by Bonnie Preston against the City and County of San Francisco for $100,000; the lawsuit was filed on June 16, 2010, in San Francisco Superior Court, Case No. CGC-10-499015; entitled Bonnie Preston, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120258 [Settlement of Lawsuit - Bigeleisen v. CCSF - $30,000]
Ordinance authorizing settlement of the lawsuit filed by David Bigeleisen against the City and County of San Francisco for $30,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507900; entitled David Bigeleisen, v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

PASSED, ON FIRST READING

120259 [Settlement of Lawsuit - Donna Murray v. CCSF - $245,000]
Ordinance authorizing settlement of the lawsuit filed by Donna Murray against the City and County of San Francisco for $245,000; the lawsuit was filed on September 22, 2010, in San Francisco Superior Court, Case No. CGC-10-503853; entitled Donna Murray v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120161 [Settlement of Claim - Sally Bowman - $70,000]
Resolution approving the settlement of the unlitigated claim filed by Sally Bowman against the City and County of San Francisco for $70,000; claim was filed on May 24, 2011. (City Attorney)

Resolution No. 126-12

ADOPTED

120162 [Settlement of Unlitigated Claim - James Murray - $43,500]
Resolution approving the settlement of the unlitigated claim filed by James Murray against the City and County of San Francisco for $43,500; claim was filed on April 06, 2011. (City Attorney)

Resolution No. 127-12

ADOPTED

120011 [Appointment, Children and Families First Commission - Anda Kuo]
Motion appointing Anda Kuo, term ending April 29, 2014, to the Children and Families First Commission. (Clerk of the Board)

Motion No. M12-044

APPROVED

120172 [Appointments, Workforce Investment Community Advisory Committee - Doug Parrish, Liz Jackson-Simpson, Winnie Yu, and Sheryl Davis]
Motion appointing Doug Parrish, term ending February 19, 2013, Liz Jackson-Simpson, Winnie Yu, and Sheryl Davis, terms ending February 19, 2014, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Motion No. M12-045

APPROVED

120215 [Appointments, In-Home Supportive Services Public Authority - Kenzi Robi, Gustavo Serina, and Luis Calderon]
Motion appointing Kenzi Robi, Gustavo Serina, and Luis Calderon, terms ending March 1, 2015, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Motion No. M12-046

APPROVED

120218 **[Appointments, Sweatfree Procurement Advisory Group - Jason Oringer, and Julienne Fisher]**
Motion appointing Jason Oringer and Julienne Fisher, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)

Motion No. M12-047

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

120282 **[Contract Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Waiver of Certain Bidding and Contracting Requirements]**
Sponsor: Mayor
Ordinance 1) authorizing the Port to amend a contract between the Port and Turner Construction Company to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 2) alternatively, authorizing the Port to execute an agreement between the Port and one of the next highest-ranked proposers, in order of rank, for the Pier 27 Cruise Ship Terminal and Northeast Wharf Plaza Project, to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 3) authorizing the Port to contract with the America's Cup Event Authority for assignment to the Port of its contract with Power Engineering Construction Company for improvements to Piers 30-32 only; 4) authorizing the Port to enter into a contract with AECOM for construction-design engineering services for improvements to Piers 30-32 related to the 34th America's Cup Event; and 5) waiving competitive bidding and solicitation requirements of Administrative Code Sections 6.20, 6.21, 6.68(A)-(F), 6.40, and 6.41, and requirements of Administrative Code Sections 14B.19(C)(1)-(5). (Fiscal Impact)

Ordinance No. 053-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Rules Committee Without Recommendation

111082 [Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]

Sponsors: Kim; Campos, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

Supervisor Elsbernd moved to divide the question relating to "Section 1.144(d)(4)" located on Page 15, Lines 10-13. The question PASSED AS DIVIDED by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

Ordinance No. 064-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120246 [Master License Agreement - Photovoltaic Power Projects]

Sponsors: Wiener; Mar

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a long term Master License Agreement for the installation of photovoltaic power projects on San Francisco Unified School District buildings, pursuant to San Francisco Charter Section 9.118.

Resolution No. 124-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120253 [Airline/Airport 2011 Lease and Use Agreement - Various Airlines]

Resolution approving four new 2011 Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective upon full City approval, to conduct flight operations at the San Francisco International Airport. (Airport Commission)
(Fiscal Impact)

Resolution No. 122-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120260 [Real Property Lease - Aardvark Storage Unlimited, Inc. - 600 Amador Street, Seawall Lot 344]

Resolution approving Port Commission Lease No. L-14819 with Aardvark Storage Unlimited, Inc., for paved vacant land located at 600 Amador Street within Seawall Lot 344 in the Southern Waterfront with a sixty month term and a sixty month option. (Port)

Resolution No. 123-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120289 [Apply for, Accept and Expend Grant - California Catalyst Community Grant Program - $1,350,000]

Sponsor: Mayor

Resolution authorizing the Director of the Office of Economic and Workforce Development to apply for, accept and expend grant funds in the amount of $1,350,000 from the California Department of Housing and Community Development's Catalyst Community Grant Program.

Resolution No. 121-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111341 [San Francisco Municipal Transportation Agency Revenue Bond Issuance - Not to Exceed $80,000,000]

Sponsors: Chu; Wiener and Chiu

Resolution authorizing the issuance of not to exceed $80,000,000 aggregate principal amount of San Francisco Municipal Transportation Agency Revenue Bonds for the purpose of financing certain capital improvements related to the Agency, including the refinancing of certain outstanding revenue bonds issued by various non-profit public benefit corporations and/or the Parking Authority of the City and County of San Francisco to finance certain improvements to garages owned by the Agency, the Authority or the City, and/or parking meters; approving the forms of documents relating thereto; approving the maximum interest thereon; finding that the authorization and issuance of revenue bonds by the Agency is not a project under California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administration Code Chapter 31; and related matters. (Fiscal Impact)

Resolution No. 120-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111354 [Administrative Code - San Francisco Municipal Transportation Agency Revenue Bond]

Sponsors: Chu; Wiener and Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XIII, Sections 43.13.1 through 43.13.8, to authorize the issuance of revenue bonds by the San Francisco Municipal Transportation Agency.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120242 [Appropriating $46,935,000 of 2012 Series A Refunding Revenue Bonds, and De-Appropriating $2,431,363 for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $46,935,000 of the 2012 Series A Parking Garage Refunding, and de-appropriating $2,431,363 in existing debt service reserve funds, for the Municipal Transportation Agency in FY2011-2012 for parking meter and parking garage refunding, and placing these funds on Controller's Reserve pending the sale of the bonds.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120243 [Appropriating $28,300,000 of 2012 Series B Revenue Bonds for Transit Projects and Parking Garage Projects, for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $28,300,000 of the 2012 Series B Revenue Bonds for Transit Projects and for Parking Garage Projects proceeds to the Municipal Transportation Agency in FY2011-2012 for improvements to transit access, reliability, communication, and capital improvements to parking garages; placing these funds on Controller's Reserve pending the sale of the bonds; and placing $1,600,000 for the Muni System Radio Replacement Project on Budget and Finance Committee Reserve.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120188 [Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]

Sponsors: Chu; Mar and Kim

Ordinance: 1) recognizing Small Business Month in May 2012; 2) amending the San Francisco Planning and Building Codes to waive fees for the month of May for certain façade improvements; 3) making findings including environmental findings, findings of consistency with the General Plan, and priority policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

120286 **[Support for State and Federal Measures to Protect Homeowners and Suspension of Foreclosure Activities in San Francisco]**
Sponsors: Avalos; Campos, Chiu, Kim, Mar, Olague and Cohen
Resolution supporting the California Homeowner Bill of Rights; urging City and County officials and departments to protect homeowners from unlawful foreclosures; and urging City contractors and all mortgage and banking institutions to suspend foreclosure activities and related auctions and evictions until State and Federal measures to protect homeowners from unfair and unlawful practices and provisions for principal reductions are in place.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 4, Lines 1-3, by adding 'FURTHER RESOLVED, That the Board of Supervisors requests the Controller to conduct a follow up audit to the Assessor-Recorder Independent report entitled "Foreclosure in California: A Crisis of Compliance"; and'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 128-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Susan Mizner, Director, Mayor's Office on Disability in recognition of her service to the City and County of San Francisco. Supervisors Avalos, Chu, Kim, Mar, Wiener, and Olague shared in this recognition.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Stephen Golding of the Department of Emergency Management in recognition of being named 911 Dispatcher of the Year.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

120084 [Planning Code - Eating and Drinking Establishment Definitions and Controls]
Sponsors: Wiener; Olague, Chu and Mar

Ordinance: 1) deleting and amending various sections of the San Francisco Planning Code to simplify and consolidate eating and drinking establishment definitions, and subject the newly-defined uses to Section 312 notification and Formula Retail controls; 2) adding Section 703.5 to establish operating conditions for Bars and Restaurants; and 3) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisors Kim and Cohen requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Wiener was noted absent at 3:58 p.m. and noted present at 4:07 p.m.
Supervisor Mar was noted absent at 3:58 p.m. and noted present at 4:05 p.m.
Supervisor Chiu was noted absent at 4:05 p.m. and noted present at 4:22 p.m.
Supervisor Farrell was noted absent at 4:05 p.m. and noted present at 4:15 p.m.
Supervisor Olague was noted absent at 4:10 p.m. and noted present at 4:40 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Francisco Da Costa, expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library and redactions.
Eugene Gordon, Jr.; expressed various religious concerns.
Emil Lawrence; expressed various concerns.
Male Speaker; expressed various concerns relating to housing.
Walter Paulson; shared in song certain concerns with the Board.
Allison Marshall; spoke expressing support for open strollers on MUNI.
Sophie Hayward; spoke expressing support for open strollers on MUNI.
Shauna; expressed support for medical cannabis.
Carine Rashey; spoke expressing support for open strollers on MUNI.
Todd David; spoke expressing support for open strollers on MUNI.
Greg Ledbetter; expressed support for medical cannabis.
Female Speaker; spoke expressing support for open strollers on MUNI.
Bill Stephens; spoke regarding National Public Safety Communicators Week.
David Barlow; expressed various concerns relating to the taxi cab industry.
Edmund Juicy; expressed various concerns.
Mark Trout; expressed various religious concerns.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

120330 [Closed Session - Update on Labor Negotiations]
Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on April 10, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

Supervisor Farrell, seconded by Supervisor Campos moved that this Motion be ADOPTED. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Campos, seconded by Supervisor Olague moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

Motion No. M12-048

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim was noted absent at 4:56 p.m. for the remainder of the meeting.

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 4:56 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

Persons in attendance:
Kate Howard, Mayor's Budget Office
Cheryl Adams, Deputy City Attorney
Micki Callahan, Director of Department of Human Resources
Martin Gran, Director of Employee Relations
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director

Matter was heard in Closed Session and Filed.

RECONVENING OF THE BOARD

The Board at the hour of 5:36 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Chu, seconded by Supervisor Mar, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Cohen was noted absent at 4:34 p.m. and noted present at 4:49 p.m.

120304 [Final Map 6393: 307 Page Street, and 265 Laguna Street]
Motion approving Final Map 6393, a Six Unit Residential, One Unit Commercial Mixed-Use Condominium Project, located at 307 Page Street, and 265 Laguna Street; being a subdivision of Assessor's Block No. 0851, Lot No. 001; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-049

APPROVED

120327 [Urging Opposition to Governor Brown's Proposal to Raise the Cal Grant Threshold]

Sponsors: Kim; Mar

Resolution urging the California State Legislature to oppose California Governor Jerry Brown's proposal in the 2012-2013 budget that would raise the bar for Cal Grant financial aid.

Resolution No. 131-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 120324 be severed so that it may be considered separately.

120324 [Supporting Assembly Bill 1081 - The TRUST Act]

Sponsors: Campos; Avalos, Chiu, Kim, Mar, Olague and Wiener

Resolution supporting Assembly Bill 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. Citizens.

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to April 17, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisors Chiu and Wiener requested that File No. 120326 be severed so that it may be considered separately.

120326 [Urging the San Francisco Municipal Transportation Agency to Permit Strollers on Muni Vehicles]

Sponsors: Chiu; Elsbernd and Mar

Resolution urging the San Francisco Municipal Transportation Agency to permit strollers on Muni vehicles and to adopt stroller policies that give parents and caregivers better access to public transportation.

Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED on Page 2, Line 6, to read 'current standards of public safety'. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be AMENDED on Page 2, beginning on Line 1, by adding 'and, WHEREAS, SFMTA is implementing the Transit Effectiveness Project to improve Muni's speed and reliability; now, therefore, be it' and on Page 2, Line 6, by adding 'as well as the goals of the TEP to improve MUNI's speed and reliability'. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisors Avalos and Chu requested to be added as a co-sponsor.

Resolution No. 129-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

Supervisor Elsbernd was noted absent at 3:44 p.m. and noted present at 3:55 p.m.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Avalos, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Avalos, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

120348 [Susan Mizner Day - April 10, 2012]
Sponsor: Avalos
Resolution declaring April 10, 2012, Susan Mizner Day in the City and County of San Francisco in honor of her service as the Director of the Mayor's Office on Disability.

The President inquired as to whether any member of the public wished to address the Board relating to Susan Mizner Day as referenced in File No. 120348. Walter Paulson shared in song appreciation for Susan Mizner. There were no other speakers. The President declared public comment closed.

Resolution No. 130-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Pursuant to Section 2.8 of the Rules of Order of the Board of Supervisors, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

Introduced by a Supervisor or the Mayor

Ordinances

120351 [Administrative Code - Police Department Participation in Federal Counterterrorism Activities]
Sponsors: Kim; Avalos, Campos, Chiu, Olague, Mar, Wiener and Cohen
Ordinance amending the San Francisco Administrative Code by adding Section 2A.74 to: 1) set City policy regarding Police Department participation in federal counterterrorism activities; 2) require a public discussion at the Police Commission before the execution of any Memorandum of Understanding with the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 3) set an annual reporting requirement.
04/10/12; ASSIGNED to Public Safety Committee.

120352 [Planning Code - Housing Preservation and Production]
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Planning Code by: 1) adding Article 5 to implement San Francisco's housing preservation and production policies and goals; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120353 [Planning Code - Mechanical Car Wash Facilities on 19th Avenue]
Sponsors: Olague; Chu and Elsbernd
Ordinance amending the San Francisco Planning Code by adding Section 187.2 to permit existing gasoline and service stations located on 19th Avenue to provide a mechanical car wash on the same site; making environmental findings and findings of consistency with the General Plan.
04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120354 [Wastewater Enterprise Commercial Paper Program - Not to Exceed $300,000,000]
Sponsor: Chu

Ordinance authorizing an increase of the Wastewater Enterprise's Commercial Paper Program to an amount not to exceed $300,000,000 to be issued from time to time by the San Francisco Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

04/10/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120357 [Planning Code - Increase Maximum Floor Area Ratios and Create the Van Ness Medical Use Subdistrict Within the Van Ness Special Use District - California Pacific Medical Center: Cathedral Hill Campus]
Sponsor: Mayor

Ordinance amending the San Francisco Planning Code Section 124 to: 1) allow a floor area ratio of 9:1 for a hospital and 7.5:1 for a medical office building within the Van Ness Special Use District, Medical Use Subdistrict; 2) amend Section 243 to include the establishment of the Van Ness Medical Use Subdistrict and associated controls; and 3) adopt findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Economic Impact)

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120358 [Planning Code - Increase Maximum Permitted Floor Area Ratio and Establish the Cesar Chavez/Valencia Streets Medical Use Special Use District - California Pacific Medical Center: St. Luke's Campus]
Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by: 1) adding Section 124(k) to allow a floor area ratio of 2.5 to 1 in the Cesar Chavez/Valencia Streets Medical Use Special Use District; 2) adding Section 249.68 to establish the Cesar Chavez/Valencia Streets Medical Use Special Use District; and 3) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120359 [Zoning Map - California Pacific Medical Center: Cathedral Hill Campus]
Sponsor: Mayor

Ordinance amending the San Francisco Planning Code Sectional Maps SU02 and HT02 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Van Ness Medical Use Subdistrict at Assessor's Block Nos. 0695 (Lot Nos. 005, 006) and 0694 (Lot Nos. 005, 006, 007, 008, 009, 009A, 010); 2) allow an increase in height at Assessor's Block No. 0695 (Lot Nos. 005, 006) in order to allow for a new seismically safe hospital; and 3) adopt findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120360 [Zoning Map - California Pacific Medical Center: St. Luke's Campus]
Sponsor: Mayor

Ordinance amending the San Francisco Planning Code Sectional Maps SU07 and HT07 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Cesar Chavez/Valencia Streets Medical Use Special Use District at the California Pacific Medical Center's St. Luke's Campus (Block No. 6575, Lot Nos. 001 and 002; Block No. 6576, Lot No. 021; and a portion of San Jose Avenue between Cesar Chavez and 27th Streets); 2) allow an increase in height throughout the western portion of the California Pacific Medical Center's St. Luke's Campus (Block No. 6576, Lot No. 021; and a portion of San Jose Avenue between Cesar Chavez and 27th Streets) in order to allow for a new seismically safe replacement hospital; and 3) adopt findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012

120361 [Summary Street Vacation - Portion of San Jose Avenue - California Pacific Medical Center: St. Luke's Campus]
Sponsor: Mayor

Ordinance ordering the summary street vacation of a portion of San Jose Avenue, between 27th Street and Cesar Chavez Street; rescinding an existing encroachment permit; adopting environmental findings pursuant to the California Environmental Quality Act and findings that the action contemplated herein are consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1; and authorizing official acts in connection with this ordinance.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012

120364 [Changing the Official Sidewalk Widths - Portions of Post Street, Geary Boulevard, Geary Street, Cedar Street, Franklin Street, and Van Ness Avenue - California Pacific Medical Center: Cathedral Hill Campus]
Sponsor: Mayor

Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1596 to change the official sidewalk width of: a) the southerly side of Post Street starting at the southeast intersection with Franklin Street continuing east to the southwest intersection with Van Ness Avenue; b) the northerly side of Geary Boulevard starting at the northeast intersection with Franklin Street continuing east to the northwest intersection with Van Ness Avenue; c) the northerly side of Geary Street starting at the northeast intersection of Van Ness Avenue continuing east 325 feet; d) both sides of Cedar Street starting at the intersection with Van Ness Avenue continuing east to the intersection with Polk Street; e) the westerly side of Van Ness Avenue starting at the intersection with Geary Boulevard continuing north to the intersection with Post Street; and f) the easterly side of Van Ness Avenue starting at the intersection with Geary Street continuing north to the intersection with Cedar Street; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012

120365 [Changing the Official Sidewalk Widths - Portions of Cesar Chavez Street, Valencia Street and 27th Street - California Pacific Medical Center: St. Luke's Campus]
Sponsor: Mayor
Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1591 to change the official sidewalk width of: a) the southerly side of Cesar Chavez Street starting at the southeast intersection with Guerrero Street continuing east to the southwest intersection with Valencia Street; b) the westerly side of Valencia Street, starting at the southwest intersection with Cesar Chavez Street continuing south to the northwest intersection with Duncan Street; and c) the northern portion of 27th Street starting at the intersection of 27th Street and San Jose Avenue and continuing west for 44.24 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change.
04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120366 [Development Agreement - Sutter West Bay Hospitals - California Pacific Medical Center]
Sponsor: Mayor
Ordinance: 1) approving a Development Agreement between the City and County of San Francisco and Sutter West Bay Hospitals, for certain real property associated with the California Pacific Medical Center Long Range Development Plan located at various locations in the City and County of San Francisco and generally referred to as the St. Luke's Campus, Cathedral Hill (Van Ness and Geary) Campus, Davies Campus, Pacific Campus, and California Campus; 2) making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b); and 3) waiving certain provisions of Administrative Code Chapter 56, and ratifying certain actions taken in connection therewith.
04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

Resolutions

120355 [2012 Water Revenue Bonds Issuance - Not to Exceed $667,000,000]
Sponsor: Chu
Resolution approving the issuance of water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco not to exceed $675,000,000 to finance various projects under the Water System Improvement Program pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; the issuance of water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco not to exceed $17,000,000 to finance the reimbursement of certain legal settlement costs related to various projects under the Capital Improvement Program pursuant to Proposition A of 2002 enacted by voters on November 5, 2002; the issuance of water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco pursuant to the Charter of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters. (Fiscal Impact)
04/10/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120356 [Urging the Planning Commission to Recommend Amendments to the General Plan Concerning Adoption of the California Pacific Medical Center Long Range Development Plan]
Sponsor: Mayor
Resolution urging the Planning Commission to recommend amendments to the General Plan to make the General Plan consistent with near-term projects at the Cathedral Hill and St. Luke's Campuses described in California Pacific Medical Center's Long Range Development Plan.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012

120362 [Street Encroachments - Van Ness Avenue, Cedar Street, and Geary Boulevard - California Pacific Medical Center: Cathedral Hill Campus]
Sponsor: Mayor
Resolution: 1) granting revocable permission to the California Pacific Medical Center to a) occupy a portion of the public right-of way on Van Ness Avenue in order to construct and maintain a pedestrian tunnel under Van Ness Avenue (State Highway 101) to connect the new medical office building and the new hospital located at 1100 and 1101 Van Ness Avenue respectively; b) construct and maintain off-site improvements on the north side of Cedar Street between Van Ness Avenue and Polk Street, across the street from the medical office building and on the south side of Cedar Street contiguous to the property at 1001 Polk Street (Block No. 0694, Lot No. 004), including reconstructing and widening the existing sidewalk, installing new landscaping and reconstructing the existing roadway with pavers; and c) install and maintain two 30,000 gallon diesel fuel tanks within the public right of way under Geary Boulevard between Franklin Street and Van Ness Avenue, in order to serve the hospital at 1101 Van Ness Avenue; and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120363 [Land Transfer Agreement - Sale of a Portion of San Jose Avenue Between 27th Street and Cesar Chavez Street - Sutter West Bay Hospitals California Pacific Medical Center: St. Luke's Campus]
Sponsor: Mayor
Resolution authorizing the Director of Property to execute a Land Transfer Agreement with Sutter West Bay Hospitals, doing business as California Pacific Medical Center, for the future conveyance by the City and County of San Francisco to California Pacific Medical Center of real property consisting of a portion of San Jose Avenue between 27th Street and Cesar Chavez Street; and making findings, including findings under the California Environmental Quality Act and findings of consistency with the General Plan and Planning Code Section 101.1.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012.

120367 [Supporting New Initiatives to Improve Street Safety for All Users and the Creation of a Bicycle Citation Diversion Education Program]
Sponsors: Chiu and Kim
Resolution supporting new initiatives to improve street safety for all users and to create a new Citation Diversion Education Program for bicyclists.

04/10/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120368 [Endorsing the 2011 and 2012 Annual Language Access Ordinance Compliance Reports]
Sponsor: Chiu
Resolution endorsing "Language Matters: Language Access Ordinance Annual Compliance Summary Report, July 2011" and "Language Access Ordinance Annual Compliance Summary Report, March 2012," issued by the Office of Civic Engagement and Immigrant Affairs.
04/10/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120369 [Department of Children, Youth, and Their Families Children's Services Allocation Plan]
Sponsor: Chu
Resolution approving the Community Needs Assessment developed by the Department of Children, Youth and Their Families in accordance with Section 16.108 of the San Francisco Charter.

120370 [Armenian Genocide Commemoration Day - April 24, 2012]
Sponsor: Elsbernd
Resolution declaring April 24, 2012, as Armenian Genocide Commemoration Day in the City and County of San Francisco.

120371 [Urging the Director of HOPE to Convene a Shelter Reform Working Group]
Sponsors: Kim; Campos
Resolution urging the Director of HOPE to convene a working group to develop a series of recommendations on how the city can improve access to shelter for all, improve programming within the shelter, and explore opportunities to better assess the health needs of shelter clients.

Requests for Hearing

120372 [Hearing - City's Inclusionary Housing Laws]
Sponsor: Chiu
Hearing to review the City's inclusionary housing laws, including an evaluation of development impact at different housing sizes.
04/10/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120373 [Hearing - City's Property Management Process]
Sponsor: Farrell
Hearing on the City and County of San Francisco's property management process, including the Director of Property to clearly define how the City and County of San Francisco manages its property; will examine for each City department what property is being utilized and what property is currently left vacant and/or underutilized; and will discuss improvements to the system to better fiscally manage our real estate inventory.
04/10/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120374 [Hearing - Preparation of Students to Access Employment Opportunities in the Construction Industry]
Sponsor: Olague
Hearing requesting the San Francisco Unified School District, Office of Economic and Workforce Development, and other workforce and labor partners to report on the status and progress of current career vocational training programs and apprenticeship programs that prepare students to access employment opportunities in the construction industry.

04/10/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

120275 [Administrative Code - Department of Building Inspection Cash Revolving Fund]
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from $2,000 to $4,500. (Building Inspection Commission)

04/02/12; RECEIVED FROM DEPARTMENT.

04/10/12; ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

120276 [Local Support for Cesar Chavez Streetscape Project]
Resolution re-directing a $3,367,985 Congestion Management Agency Block Grant from the Second Street Streetscape Project to the Cesar Chavez Streetscape Project; affirming local support of the project; reiterating commitment of the necessary non-federal match of $436,358; and stating assurance to complete the project. (Public Works Department)

04/02/12; RECEIVED FROM DEPARTMENT.

04/10/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120333 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 55 Stockton Street]
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot Nos. 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

04/02/12; RECEIVED FROM DEPARTMENT.

04/10/12; RECEIVED AND ASSIGNED to Board of Supervisors.

120335 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 233 Geary Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel Block No. 0314, Lot No. 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

04/02/12; RECEIVED FROM DEPARTMENT.

04/10/12; RECEIVED AND ASSIGNED to Board of Supervisors.

120337 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 77 O'Farrell Street, San Francisco, California, Assessor's Parcel Block No. 0328, Lot Nos. 003 and 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

04/02/12; RECEIVED FROM DEPARTMENT.

04/10/12; RECEIVED AND ASSIGNED to Board of Supervisors.

120339 [Acquisition of a Temporary Construction License By Eminent Domain - Central Subway/Third Street Light Rail Extension - 150 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 150 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0313, Lot No. 018, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

04/02/12; RECEIVED FROM DEPARTMENT.

04/10/12; RECEIVED AND ASSIGNED to Board of Supervisors.

In Memoriams

Tshering Rinzing Bhutia – Supervisor Chu
Sut Chi Hui – Supervisors Wiener and Chiu
Rosario Nepomuceno – Supervisor Elsbernd
Rory Staunton – Supervisor Elsbernd
Shantanae Marie Todd – Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:38 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors May 15, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

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Tuesday, April 17, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Olague was noted absent. There was a quorum.

Supervisor Olague Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Olague be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of March 13, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

111354 [Administrative Code - San Francisco Municipal Transportation Agency Revenue Bond]

Sponsors: Chu; Wiener and Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XIII, Sections 43.13.1 through 43.13.8, to authorize the issuance of revenue bonds by the San Francisco Municipal Transportation Agency.
(Fiscal Impact)

Ordinance No. 057-12

FINALLY PASSED

120242 [Appropriating $46,935,000 of 2012 Series A Refunding Revenue Bonds, and De-Appropriating $2,431,363 for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $46,935,000 of the 2012 Series A Parking Garage Refunding, and de-appropriating $2,431,363 in existing debt service reserve funds, for the Municipal Transportation Agency in FY2011-2012 for parking meter and parking garage refunding, and placing these funds on Controller's Reserve pending the sale of the bonds.

Ordinance No. 058-12

FINALLY PASSED

120243 [Appropriating $28,300,000 of 2012 Series B Revenue Bonds for Transit Projects and Parking Garage Projects, for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $28,300,000 of the 2012 Series B Revenue Bonds for Transit Projects and for Parking Garage Projects proceeds to the Municipal Transportation Agency in FY2011-2012 for improvements to transit access, reliability, communication, and capital improvements to parking garages; placing these funds on Controller's Reserve pending the sale of the bonds; and placing $1,600,000 for the Muni System Radio Replacement Project on Budget and Finance Committee Reserve.

Ordinance No. 059-12

FINALLY PASSED

120188 [Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]

Sponsors: Chu; Mar and Kim

Ordinance: 1) recognizing Small Business Month in May 2012; 2) amending the San Francisco Planning and Building Codes to waive fees for the month of May for certain façade improvements; 3) making findings including environmental findings, findings of consistency with the General Plan, and priority policies of Planning Code Section 101.1.

Supervisors Mar and Kim requested to be added as co-sponsors.

Ordinance No. 063-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

120126 [Accept and Expend Grant - Existing Commercial Buildings Energy Performance Policy Implementation - $180,000]

Sponsor: Chiu

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $180,000 from the Kresge Foundation to implement the Existing Commercial Buildings Energy Performance Ordinance (San Francisco Environment Code Chapter 20).

Resolution No. 132-12

ADOPTED

Recommendations of the Rules Committee

120134 [Settlement of Lawsuit - Timothy Hoyt - $80,000]

Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for $80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)

Ordinance No. 065-12

FINALLY PASSED

120163 [Settlement of Lawsuit - Patricia Banks - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for $50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 066-12

FINALLY PASSED

120164 [Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - $425,000]
Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for $425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403; entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)

Ordinance No. 067-12

FINALLY PASSED

120181 [Settlement of Lawsuit - Christine Peterson - $34,000]
Ordinance authorizing settlement of the lawsuit filed by Christine Peterson against the City and County of San Francisco for $34,000; the lawsuit was filed on November 25, 2009, in San Francisco Superior Court, Case No. CGC-09-494798 (Consolidated with Case No. CGC-10-500217); entitled Christine Peterson, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 068-12

FINALLY PASSED

120182 [Settlement of Lawsuit - Wilma Espinosa - $275,000]
Ordinance authorizing settlement of the lawsuit filed by Wilma Espinosa against the City and County of San Francisco for $275,000; the lawsuit was filed on March 9, 2011, in San Francisco Superior Court, Case No. CGC-11-508999; entitled Wilma Espinosa, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 069-12

FINALLY PASSED

120187 [Settlement of Lawsuit - Airis v. CCSF, et al. - $7,500,000]
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings, LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for $7,500,000; the lawsuit was filed on July 15, 2005, in San Mateo Superior Court, Case No. 448274. entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and post judgment interest. (City Attorney)

Ordinance No. 070-12

FINALLY PASSED

120238 [Settlement of Lawsuit - Fonseca v. Fong, et al. - $73,000]
Ordinance authorizing settlement of the lawsuit filed by Charles Fonseca against the City and County of San Francisco for $73,000 in attorney's fees and costs; the lawsuit was filed on May 4, 2007, in San Francisco Superior Court, Case No. CPF-07-507227; entitled Fonseca v. Heather Fong, et al. (City Attorney)

Ordinance No. 071-12

FINALLY PASSED

120239 [Settlement of Lawsuit - Preston, et al. v. CCSF, et al. - $100,000]

Ordinance authorizing settlement of the lawsuit filed by Bonnie Preston against the City and County of San Francisco for $100,000; the lawsuit was filed on June 16, 2010, in San Francisco Superior Court, Case No. CGC-10-499015; entitled Bonnie Preston, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 072-12

FINALLY PASSED

120258 [Settlement of Lawsuit - Bigeleisen v. CCSF - $30,000]

Ordinance authorizing settlement of the lawsuit filed by David Bigeleisen against the City and County of San Francisco for $30,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507900; entitled David Bigeleisen, v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

Ordinance No. 073-12

FINALLY PASSED

120259 [Settlement of Lawsuit - Donna Murray v. CCSF - $245,000]

Ordinance authorizing settlement of the lawsuit filed by Donna Murray against the City and County of San Francisco for $245,000; the lawsuit was filed on September 22, 2010, in San Francisco Superior Court, Case No. CGC-10-503853; entitled Donna Murray v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 074-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

120084 **[Planning Code - Eating and Drinking Establishment Definitions and Controls]**
Sponsors: Wiener; Olague, Chu, Mar, Kim and Cohen
Ordinance: 1) deleting and amending various sections of the San Francisco Planning Code to simplify and consolidate eating and drinking establishment definitions, and subject the newly-defined uses to Section 312 notification and Formula Retail controls; 2) adding Section 703.5 to establish operating conditions for Bars and Restaurants; and 3) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 075-12

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120082 **[Administrative Code - Benefit Corporation Discount]**
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by adding Chapter 14C, Sections 14C.1 through 14C.3 to provide for a downward adjustment in price or upward adjustment in rating of a proposal or bid from a California Benefit Corporation for a competitively-solicited City contract.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

120237 [Airport Professional Services Agreement - New South Parking - California - Not to Exceed $95,969,983]

Resolution approving the Professional Services Agreement for the management and operation of the Airport's Public and Employee Parking between New South Parking - California and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

Resolution No. 133-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

120245 [Contract Amendment - Netsmart New York, Inc. - Not to Exceed $31,786,819]

Sponsor: Mayor

Resolution authorizing the Department of Public Health to execute a contract amendment with Netsmart New York, Inc., to acquire product enhancements and extend the initial term of the agreement for an amended term of August 1, 2008, through June 30, 2018.

Resolution No. 134-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

120305 [San Francisco Summer Jobs+ Campaign]

Sponsors: Olague; Campos, Avalos, Kim, Chu and Mar

Resolution urging the Mayor to launch a San Francisco Summer Jobs+ Campaign by identifying private and public sector funds, securing private sector job opportunities, and developing infrastructure to manage internships so as to increase the summer employment opportunities for San Francisco's disconnected young people.

Supervisor Mar requested to be added as a co-sponsor.

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to April 24, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Recommendation of the Rules Committee

120298 [Appointment, Health Commission - Bell Taylor-McGhee]
Motion approving the Mayor's appointment of Belle Taylor-McGhee, term ending January 15, 2016, to the Health Commission. (Clerk of the Board)
(Charter Section 3.100-18 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - March 19, 2012.)

Motion No. M12-050

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Ray Hartz; expressed concerns relating to open government and enforcement issues. (See additional information submitted on Page 255.)
Francisco Da Costa, expressed various concerns relating to public comment.
Mark Trout; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Colin Gallagher; spoke in opposition to the Armenian Genocide Commemoration Day legislation.
Barbara Tengeri, expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Tom Gilberty; expressed various concerns relating to noise pollution.
Peter Warfield; expressed concerns relating to enforcement issues and Bernal Branch Library Mural Project.
Male Speaker; expressed various concerns.
Female Speaker; spoke in favor of the Armenian Genocide Commemoration Day legislation.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120324 [Supporting Assembly Bill 1081 - The TRUST Act]
Sponsors: Campos; Avalos, Chiu, Kim, Mar, Olague and Wiener
Resolution supporting Assembly Bill 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. Citizens.

Resolution No. 135-12

ADOPTED

120370 [Armenian Genocide Commemoration Day - April 24, 2012]
Sponsor: Elsbernd
Resolution declaring April 24, 2012, as Armenian Genocide Commemoration Day in the City and County of San Francisco.

Resolution No. 136-12

ADOPTED

120371 [Urging the Director of HOPE to Convene a Shelter Reform Working Group]
Sponsors: Kim; Campos
Resolution urging the Director of HOPE to convene a working group to develop a series of recommendations on how the city can improve access to shelter for all, improve programming within the shelter, and explore opportunities to better assess the health needs of shelter clients.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 137-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chu requested that File No. 120369 be severed so that it may be considered separately.

120369 [Department of Children, Youth, and Their Families Children's Services Allocation Plan]

Sponsor: Chu

Resolution approving the Community Needs Assessment developed by the Department of Children, Youth and Their Families in accordance with Section 16.108 of the San Francisco Charter.

Supervisor Chu, seconded by Supervisor Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Excused: 1 - Olague

Resolution approving the Children's Services Allocation Plan developed by the Department of Children, Youth, and Their Families in accordance with Section 16.108 of the San Francisco Charter.

Supervisor Chu, seconded by Supervisor Mar, moved that this Resolution be CONTINUED AS AMENDED to April 24, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Excused: 1 - Olague

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120377 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Small Business Net New Payroll - 2012 through 2015]

Sponsors: Farrell; Campos, Chu, Cohen, Elsbernd, Mar and Wiener

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by adding Section 906.5 to permit a Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015.

(Fiscal Impact, Economic Impact)

04/17/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/17/2012.

120378 [Administrative Code - Establishing a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force]
Sponsors: Wiener; Olague, Campos and Cohen
Ordinance amending the San Francisco Administrative Code, Chapter 5, Article XII, by adding Sections 5.110 through 5.115, to establish a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force and establish its powers and duties.

04/17/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/17/2012.

120379 [Appropriating $58,700,580 Consisting of $45,000,000 of Certificate of Participation Proceeds, $4,539,337 of Fund Balance and Re-Appropriating $9,161,243 to the Port Commission in FY2011-2012]
Sponsors: Mayor; Chiu and Chu
Ordinance appropriating $58,700,580 consisting of $45,000,000 of Certificate of Participation 2012 Series A and B proceeds, $4,539,337 of fund balance and re-appropriating $9,161,243 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Cruise Terminal Project at Pier 27 and infrastructure and mitigation requirements related to the 34th America's Cup event and the Cruise Terminal Project; and placing $45,000,000 on Controller's Reserve pending sale of the Certificates of Participation.
(Fiscal Impact)

04/17/12; ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

120380 [Certificates of Participation for Various Port Projects - Not to Exceed $45,000,000]
Sponsors: Mayor; Chiu and Chu
Resolution authorizing the execution and delivery of certificates of participation evidencing an aggregate principal amount of not to exceed $45,000,000 to finance the design, acquisition, construction, reconstruction, expansion, improvement, equipping, renewal, restoration and/or replacement of certain capital improvements to properties of the Port Commission of the City and County of San Francisco; authorizing the selection of a trustee by the Director of Public Finance and approving the form of a trust agreement for the certificates of participation between the City and County of San Francisco and such trustee (including certain indemnities contained therein); approving the forms of a property lease and a project lease between the City and the trustee relating to all or a portion of the real property and improvements located at 375 Laguna Honda Boulevard and all or a portion of the James R. Herman Cruise Terminal at Pier 27; approving a form of memorandum of understanding with the Port Commission of the City and County of San Francisco relating to repayment of the Certificates and other matters; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; authorizing the selection of underwriters by the Director of Public Finance and approving the form of a purchase contract between the City and the underwriters relating to the certificates of participation, if sold by negotiated sale; approving the forms of a preliminary and final official statement with respect to the certificates of participation; approving the form of a continuing disclosure certificate; approving the issuance and sale of tax-exempt certificates of participation in an aggregate principal amount not to exceed $45,000,000 following a public hearing; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the certificates of participation; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

04/17/12; ASSIGNED to Budget and Finance Sub-Committee.

120381 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - $12,180,724]

Sponsor: Mayor

Resolution approving the FY2012-2013 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $9,731,577 and to expend Program Income and Reprogrammed Funds in the amount of $2,449,147.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120382 [Apply for, Accept, and Expend Grant - HOME Program - $3,985,888]

Sponsor: Mayor

Resolution approving the FY2012-2013 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $3,955,888, and to expend Program Income in the amount of $30,000.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120383 [Apply for, Accept, and Expend Grant - Emergency Shelter Grants Program - $2,151,775]

Sponsor: Mayor

Resolution approving the FY2012-2013 Emergency Shelter Grants Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 Emergency Shelter Grants Program entitlement in the amount of $1,609,318 and accept and expend the second allocation of the City's FY2011-12 Emergency Shelter Grants Program entitlement in the amount of $507,457 from the U.S. Department of Housing and Urban Development and to expend Reprogrammed Funds in the amount of $35,000.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120384 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - $17,734,214]

Sponsor: Mayor

Resolution approving the FY2012-2013 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $16,204,214 and to expend Program Income in the amount of $1,530,000.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120385 [Real Property Lease Amendment - Sixth Street Baldwin House, LLC - 72-6th Street]

Sponsors: Mayor; Kim

Resolution authorizing the lease amendment with Sixth Street Baldwin House, LLC, of approximately 1,932 rentable square feet of ground space located at 72-6th Street for the San Francisco Police Department.
(Fiscal Impact)

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120386 [Accept and Expend Grant - Zellerbach Family Foundation - $37,000]
Sponsor: Mayor
Resolution authorizing the Adult Probation Department to retroactively accept and expend a grant of consulting services from the Zellerbach Family Foundation through an award to Community Works West in the amount of $37,000 for developing a gender-responsive approach to serving women involved in San Francisco's criminal justice system.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120387 [Wastewater Enterprise Agreement - Central Bayside System Improvements Project - Not to Exceed $30,000,000]
Sponsor: Cohen
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute Wastewater Enterprise Sewer System Improvement Program funded Agreement No. CS-169, Central Bayside Improvements to provide planning and engineering services for an amount not to exceed $30,000,000 with a duration of 108 months.
(Fiscal Impact)

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120388 [Accept and Expend Grant - GreenFinanceSF - $200,608]
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend an American Recovery and Reinvestment Act of 2009 funded grant in the amount of $200,608 from the California Energy Commission's State Energy Program through the Local Government Commission to support GreenFinanceSF.

04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120389 [Poems Under the Dome Day - April 27, 2012]
Sponsors: Avalos; Campos
Resolution proclaiming April 27, 2012, as Poems Under the Dome Day in the City and County of San Francisco.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120390 [Supporting Assembly Bill 1990 - "Solar for All"]
Sponsors: Campos; Avalos, Mar and Kim
Resolution in support of Assembly Bill 1990, referred to as "Solar for All," a bill that seeks to build local clean renewable energy in low-income communities of color that are most impacted by nearby power plants and dirty oil refineries and create thousands of green jobs.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120391 [Supporting The Bay Lights Fine Art Installation and Public Works Project]
Sponsors: Kim; Mar
Resolution supporting The Bay Lights art installation on the Bay Bridge west span, beginning with its Grand Lighting in 2012 and continuing with illumination throughout 2014.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120392 [Accept and Expend Grant - Plug-In Electric Vehicle Infrastructure Readiness Planning - $49,957]
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of $49,957 from the Bay Area Air Quality Management District to assist the District in preparing a Regional Plug-In Electric Vehicle Infrastructure Readiness Planning Study.
04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

120331 [Committees of the Whole - Public Hearings to Acquire Temporary Construction Licenses at Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension - May 1, 2012]
Motion that the Board of Supervisors hold public hearings on May 1, 2012, at 3:00 p.m., with the Board of Supervisors sitting as Committees of the Whole, to consider acquisition of temporary construction licenses at various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension. (Clerk of the Board)
04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120396 [Outside Counsel - Official Misconduct Proceedings]
Motion to approve the retention of outside legal counsel to advise and represent the Board of Supervisors, in place of the City Attorney's Office, with respect to legal issues relating to the official misconduct proceedings involving Sheriff Ross Mirkarimi. (Clerk of the Board)
04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120393 [Hearing - Student Drop-Out Rates]
Sponsor: Cohen
Hearing on student drop-out rates at Thurgood Marshall High School and Burton Academic High School.
04/17/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120394 [Hearing - Mayor's OEWD and the Controller's Office of Economic Strategy Update: Phase 1 Findings]
Sponsor: Mar
Hearing to better understand the Mayor's Office of Economic and Workforce Development and the Controller's Office of Economic Strategy Update: Phase 1 Findings.
04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120395 [Hearing - California's Public Safety Realignment Policy]
Sponsor: Mar
Hearing to better understand the impact of California's Public Safety Realignment Policy to the City and County of San Francisco.

04/17/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

120014 [Airport Lease - Alclear, LLC]
Resolution approving the Expedited Traveler Service Lease between Alclear, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

04/03/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120015 [Airport Lease and Operating Agreement - Smarte Carte, Inc. - Not to Exceed $9,406,000]
Resolution approving the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/03/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120016 [Street Encroachment - Outdoor Child Play Area - Redwood Street]
Resolution: 1) granting revocable permission to the Public Utilities Commission to occupy a portion of the public right-of-way on Redwood Street, approximately 150 feet west of Polk Street to construct and maintain an outdoor play area accessible to a child care facility within the new building at 525 Golden Gate Avenue (Assessor's Block No. 0766, Lot No. 001); and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

04/06/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Request Granted

From: Supervisor Avalos
To: Janet Martinsen; SFMTA, Frank Lee; SFDPW
Requesting/Inquiring: Supervisor Avalos requests that the SFMTA and SFDPW to please provide a breakdown of the feasibility, requirements, and costs of installing a new crosswalk and bus stop at approximately 4083 Mission Street across the street from the Mission YMCA located 4080 Mission Street. Please also include the steps community members would need to take for a successful approval of such a project, including a potential time line of the process and the different factors that could affect the approval and/or project length.

In Memoriam

Dolores M Baugh – Supervisors Avalos and Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:17 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 22, 2012.

Angela Calvillo, Clerk of the Board

Addendum

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information durlng Public Comment as follows: 'Most people in San Francisco pay little or no attention to how the City operates. When the Ethics Commission heard the case of Jewelle Gomez, President of the Library Commission, these were the headlines: "Ethics panel reprimands lesbian library commissioner" (Bay Area Reporter); "S.F. mayor asked to remove Library Commission Head" (SFGate.com); "Ethics to Mayor: Pls Fire Library Prez Jewelle Gomez" (CityReport); and Ethics Commission Must Beg Mayor to Enforce Sunshine Ordinance" (SFWeekly). It's pretty clear where Mayor Ed Lee stands on enforcement issues: if it's a matter of a person under his direct control, let them stay; if it's a person lawfully elected by the citizens of San Francisco, out that person goes. The question now is how this Board of Supervisors chooses to handle this matter? Will it accept and enforce a politically motivated action, cynically placed by the Mayor before the Ethics Commission, should it recommend removal?'

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, April 24, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 20, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

120295 [Adopting Findings Related to the Conditional Use Authorization - 1111 California Street]

Motion adopting findings supporting the Board's decision to: 1) disapprove the decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street; and 2) approve Conditional Use Authorization on property located at 1111 California Street subject to conditions imposed by the Board of Supervisors on April 3, 2012. (Clerk of the Board)

Motion No. M12-051

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Budget and Finance Sub-Committee

120082 [Administrative Code - Benefit Corporation Discount]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 14C, Sections 14C.1 through 14C.3 to provide for a downward adjustment in price or upward adjustment in rating of a proposal or bid from a California Benefit Corporation for a competitively-solicited City contract.

Ordinance No. 076-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120305 [San Francisco Summer Jobs+ Campaign]

Sponsors: Olague; Campos, Avalos, Kim, Chu and Mar

Resolution urging the Mayor to launch a San Francisco Summer Jobs+ Campaign by identifying private and public sector funds, securing private sector job opportunities, and developing infrastructure to manage internships so as to increase the summer employment opportunities for San Francisco's disconnected young people.

Resolution No. 143-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120321 [Accept and Expend Grant - FY2011 Urban Areas Security Initiative Grant and Amendment to Annual Salary Ordinance - $35,546,960]
Sponsors: Mayor; Chiu
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative Approval Authority (UASI), to retroactively accept and expend a UASI grant in the amount of $35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120283 [De-Appropriating $6,672,963 in Salaries and Fringe Benefits and Re-Appropriating to Overtime in the Fire Department for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $6,672,963 consisting of $5,000,000 in salaries and $1,672,963 in fringe benefits in the Fire Department's operating budget and re-appropriating $6,672,963 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120284 [De-Appropriating $2,525,468 in Fringe Benefits and Re-Appropriating to Overtime in the Police Department for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $2,525,468 in fringe benefits in the Police Department's operating budget and re-appropriating $2,525,468 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120285 [De-Appropriating $320,000 in Salaries and Re-Appropriating to Overtime in the Public Utilities Commission for FY2011-2012]

Sponsor: Mayor

Ordinance de-appropriating $320,000 consisting of $250,000 in salaries in the Public Utilities Commission Clean Water Department operating budget and re-appropriating $250,000 to overtime, and de-appropriating $70,000 in salaries in the Public Utilities Commission Hetch Hetchy Power Department and re-appropriating $70,000 to overtime, in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120319 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2011-2012]

Sponsor: Mayor

Ordinance recognizing revenue losses of $31,477,332 in the Department of Public Health and appropriating $67,629,934 of Senate Bill 1128 Reimbursement Revenues, $25,620,000 of surplus General Hospital Revenues, and $6,555,007 of General Fund Reserves for State Revenue losses to support additional expenditures in the Department of Public Health including $28,160,000 at San Francisco General Hospital, $13,090,000 at Laguna Honda Hospital, and $27,077,609 for a debt service reserve in FY2011-2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120255 [Contract Amendment - War Memorial Veterans Building Seismic Upgrade and Improvements Project - Not to Exceed $11,621,721]

Resolution authorizing the Director of Public Works to execute an amendment to the Executive Structural Engineering and Consultant Services for the War Memorial Veterans Building Seismic Upgrade and Improvements Project to increase the not-to-exceed amount from $2,758,445 to $11,621,721. (Public Works Department)

Resolution No. 141-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120138 [Changing Official Sidewalk Width - Portions of Golden Gate Avenue, Polk Street, and Redwood Alley]

Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section 1593 to change the official sidewalk width of, a) Golden Gate Avenue starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing west 104 feet, b) Polk Street starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing south for 78 feet, and c) Redwood Alley starting at the northwest corner of the intersection of Polk Street and Redwood Alley and continuing west for 173 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120217 [Street Artist Spaces - Market Street, North Side, Spear to Steuart Streets]

Resolution approving for six months designation of six temporary selling spaces on Market Street, North Side, Spear to Steuart Streets, for street artists certified by Arts Commission, City and County of San Francisco; and exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size. (Arts Commission)

Resolution No. 140-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Damon Hernandez; spoke regarding digital media and capabilities.
E.K. Keith; shared in poem support for Poems Under the Dome proclamation.
Tom Gilberty; expressed various concerns relating to noise pollution.
Douglas Yep; expressed various concerns.
Male Speaker; expressed various religious concerns.
Female Speaker; spoke in support for benefit corporations.
Wynship Hillier; expressed various concerns relating to medical experimentation.
John; expressed various concerns relating to name changes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120369 [Department of Children, Youth, and Their Families Children's Services Allocation Plan]
Sponsor: Chu
Resolution approving the Children's Services Allocation Plan developed by the Department of Children, Youth, and Their Families in accordance with Section 16.108 of the San Francisco Charter.

Resolution No. 139-12
ADOPTED

120389 [Poems Under the Dome Day - April 27, 2012]
Sponsors: Avalos; Campos
Resolution proclaiming April 27, 2012, as Poems Under the Dome Day in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 145-12
ADOPTED

120390 [Supporting Assembly Bill 1990 - "Solar for All"]
Sponsors: Campos; Avalos, Mar and Kim
Resolution in support of Assembly Bill 1990, referred to as "Solar for All," a bill that seeks to build local clean renewable energy in low-income communities of color that are most impacted by nearby power plants and dirty oil refineries and create thousands of green jobs.

Resolution No. 144-12
ADOPTED

120391 [Supporting The Bay Lights Fine Art Installation and Public Works Project]
Sponsors: Kim; Mar
Resolution supporting The Bay Lights art installation on the Bay Bridge west span, beginning with its Grand Lighting in 2012 and continuing with illumination throughout 2014.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 142-12
ADOPTED

120392 [Accept and Expend Grant - Plug-In Electric Vehicle Infrastructure Readiness Planning - $49,957]
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of $49,957 from the Bay Area Air Quality Management District to assist the District in preparing a Regional Plug-In Electric Vehicle Infrastructure Readiness Planning Study.

Resolution No. 138-12
ADOPTED

120331 [Committees of the Whole - Public Hearings to Acquire Temporary Construction Licenses at Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension - May 1, 2012]

Motion that the Board of Supervisors hold public hearings on May 1, 2012, at 3:00 p.m., with the Board of Supervisors sitting as Committees of the Whole, to consider acquisition of temporary construction licenses at various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension. (Clerk of the Board)

Motion No. M12-052

APPROVED

120396 [Outside Counsel - Official Misconduct Proceedings]

Motion to approve the retention of outside legal counsel to advise and represent the Board of Supervisors, in place of the City Attorney's Office, with respect to legal issues relating to the official misconduct proceedings involving Sheriff Ross Mirkarimi. (Clerk of the Board)

Motion No. M12-053

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120404 [Administrative Code - Urban Agriculture Program]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Sections 53.1 through 53.4 to: 1) establish an Urban Agriculture Program to oversee and coordinate all of the City's Urban Agriculture activities; and 2) adopt goals for the City related to Urban Agriculture.

04/24/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/24/2012.

120405 [Police Code - Regulating the Use of Amplified Sound on Unenclosed Tour Buses and Establishing Fee]

Sponsor: Chiu

Ordinance amending San Francisco Police Code Sections 46, 2901, 2916, and 2922, and adding Section 2913, to: 1) clarify that the definition of "Sound Truck" in Section 46 does not include unenclosed tour buses; 2) clarify that the noise restrictions imposed by Article 29 do not apply to the City and County of San Francisco; 3) prohibit the use of amplified sound systems on unenclosed tour buses unless such systems have been certified by the San Francisco Department of Public Health as not being audible from a distance of 50 or more feet from the vehicle or contain volume limiting electronics to meet that requirement; 4) adding a reporting requirement for the Department of Public Health; 5) adding fees for the Department of Public Health approval and issuance of a Certificate of Authorization to Operate Electronically Amplified Sound on Unenclosed Tour Bus; 6) authorize the Department of Public Health and the Police Department to enforce the requirements of Section 2913; 7) clarify that Article 29 should not be construed to conflict with Federal or State laws; and 8) adopt findings, including environmental findings.

04/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120406 [Administrative Code - Film Rebate Program Extension and Funding]

Sponsor: Farrell

Ordinance amending the San Francisco Administrative Code Section 57.8 to: 1) extend the Film Rebate Program for two additional years, through June 30, 2014; and 2) increase the total amount of available funds to $2,000,000 for film rebates during that period.
(Fiscal Impact)

04/24/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/24/2012. The president waived the 30-day rule on 5/11/12.

120407 [Business and Tax Regulations, Police Codes - Parking Tax Exemption for Special Parking Events Operated by Volunteers on SFUSD Property]

Sponsors: Mayor; Mar, Wiener, Chiu, Farrell, Chu, Olague, Kim, Campos, Cohen and Avalos

Ordinance amending: 1) the San Francisco Business and Tax Regulations Code, Article 9, Section 604, and adding Section 608, to exempt a limited number of special parking events operated by the volunteers of non-profit organizations on SFUSD property for the sole benefit of San Francisco public schools and earning less than $10,000 in gross revenue per event from rent, from the requirement to pay parking tax and other requirements; and 2) the San Francisco Police Code Section 1215 to exempt said organizations from the requirement to obtain a commercial parking permit, establishing an alternative permitting process, and establishing a sunset date.

04/24/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/24/2012.

Resolutions

120408 [Contract Amendment - Addiction, Research, and Treatment, Inc., dba BAART - $26,043,065]

Sponsor: Mayor

Resolution approving an amendment to the contract with Addiction, Research, and Treatment, Inc., dba BAART, for methadone maintenance services to $27,209,317.
(Fiscal Impact)

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120409 [Contract Amendment - Apollo Health Street, Inc. - $3,675,000]
Sponsor: Mayor
Resolution approving an amendment to the contract with Apollo Health Street, Inc., for retroactive claiming of aged accounts services to $3,675,000 for an additional four years.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120410 [Contract Amendment - Asian American Recovery Services - $113,859,922]
Sponsor: Mayor
Resolution approving an amendment to the contract with Asian American Recovery Services for fiscal intermediary services by $66,510,845 for an additional four years.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120411 [Contract Amendment - Triage Consulting Group - $1,823,761]
Sponsor: Mayor
Resolution approving an amendment to the contract with Triage Consulting Group for retroactive claiming of aged accounts services to $1,823,761 for eight years.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120412 [Multifamily Housing Revenue Bonds - 833-881 Jamestown - Candlestick Heights - Not to Exceed $80,400,000]
Sponsor: Cohen
Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $80,400,000 for Candlestick Heights - 833-881 Jamestown; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $80,400,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

04/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120413 [Agreement - Granting Easement - 1 Cashmere Street]
Sponsor: Cohen
Resolution: 1) approving and authorizing an agreement to grant a nonexclusive perpetual easement in gross over and through the easement area within Assessor's Parcel No. 4720/006, a City parcel located at 1 Cashmere Street, San Francisco, California, for its improvement and maintenance; 2) adopting findings that the conveyance is in conformity with the City's General Plan Referral, as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code, and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; 3) adopting that the Department of City Planning determined that the project was evaluated in the Hunters View Redevelopment Project Environmental Impact Report (Case No. 2007.0168E) and certified on June 12, 2008; and 4) authorizing the City's Acting Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.
04/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120414 [Accept and Expend Grant - San Francisco Healthy Homes Project - $30,000]
Sponsor: Cohen
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $30,000 from the San Francisco Foundation to support the San Francisco Healthy Homes Project by developing policies and services to improve indoor air quality and reduce toxic pesticides in public housing.
04/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120415 [Multifamily Housing Revenue Bonds - Tenderloin Family Housing - Not to Exceed $22,000,000]
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $22,000,000 for Tenderloin Family Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $22,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).
04/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120416 [Joint Powers Agreement - California Rural Home Mortgage Finance Authority and Associate Membership]
Sponsor: Mar
Resolution approving associate membership in the California Rural Home Mortgage Finance Authority and authorizing the Director of the Department of the Environment to execute the Joint Powers Agreement.
04/24/12; ASSIGNED to Land Use and Economic Development Committee.

120417 [Supporting Assurance Funding for the Central Subway Project]
Sponsors: Wiener; Chiu, Avalos, Mar, Campos, Olague, Cohen, Kim, Chu and Farrell
Resolution supporting SFMTA's commitment to issue revenue bonds as assurance funding for the Central Subway Project in the event of any delay or other shortfall in the availability of funding.

04/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120332 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 55 Stockton Street]
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot Nos. 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

04/17/12; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

120334 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 233 Geary Street]
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel Block No. 0314, Lot No. 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

04/02/12; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

120336 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 77 O'Farrell Street, San Francisco, California, Assessor's Parcel Block No. 0328, Lot Nos. 003 and 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

04/02/12; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

120338 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 150 Stockton Street]
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 150 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0313, Lot No. 018, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

04/02/12; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

120418 [Hearing - Communities United for Health and Justice's Report]
Sponsor: Avalos
Hearing to consider the Communities United for Health and Justice's Report entitled "Putting the Pieces Together People Powered Solutions for Neighborhood Jobs and the Local Economy" and the report's impact on workforce development efforts underway in District 11.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120419 [Hearing - Services Provided to Students and Adults and Organization's Structure]
Sponsor: Campos
Hearing requesting presentation from the San Francisco Clinic by the Bay on services provided to students and adults and organization's structure.

04/24/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120420 [Hearing - City-Wide Coordinated Strategy for the Southeast]
Sponsor: Cohen
Hearing requesting the Mayor's Office of Housing, the Transportation Authority, San Francisco Unified School District, Office of Civic Engagement and Immigrant Affairs, Municipal Transportation Authority, Department of Children, Youth, and Families, Department of Public Health, Human Services Agency, the City Administrator's Office, the Office of Economic and Workforce Development, and other workforce and labor partners to report on the status and progress of resources devoted to the Southeast Sector of San Francisco including, but not limited to: 1) plans to support real estate and affordable housing development and supporting homeowners at risk of foreclosure; 2) small business support and technical assistance, workforce development and job creation opportunities; 3) school improvement strategies, including early childhood education; 4) parks and open space plan; 5) transportation planning; and 6) support for Community Based Organizations' who serve the neighborhood.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

120068 [Settlement of Lawsuit - Kevin Woodson v. CCSF - $45,000]
Ordinance authorizing settlement of the lawsuit filed by Kevin Woodson against the City and County of San Francisco for $45,000; the lawsuit was filed on December 10, 2010, in the United States District Court, Northern District of California, Case No. C11-00057 JCS; entitled Kevin Woodson, et al. v. City and County of San Francisco, et al. and the waiver of the San Francisco General Hospital lien. (City Attorney)

04/12/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120069 [Lease of Real Property - T-Mobile West Corporation - 720 Moscow Street]
Resolution authorizing the lease by T-Mobile West Corporation of approximately 160 rentable square feet of ground space located at 720 Moscow Street for the San Francisco Fire Department. (Real Estate Department)
(Fiscal Impact)

04/13/12; RECEIVED FROM DEPARTMENT.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120070 [Freeway Maintenance Agreement - Interchange at Highway 101/Richardson Avenue - Lyon Street]
Resolution: 1) approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for Highway 101/Richardson Avenue at Lyon Street; and 2) authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works Department)

04/16/12; RECEIVED FROM DEPARTMENT.

04/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120278 [Amending Resolution of Intention to Form Waterfront Infrastructure Financing District]
Resolution amending Resolution of Intention to establish Infrastructure Financing District No. 2 (File No. 120128) for the City and County of San Francisco at the Port of San Francisco. (Port)

04/16/12; RECEIVED FROM DEPARTMENT.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120279 **[Lease of Real Property - Golden Bear Restaurant Company III, dba Mission Rock Resort - 817 Terry A. Francois Boulevard]**
Resolution approving Port Commission Lease No. L-15108 with Golden Bear Restaurant Company III, dba Mission Rock Resort, for restaurant building, deck, and land of approximately 7,924 square feet located at 817 Terry A. Francois Boulevard in the Central Waterfront with a 15 year term and one five year option. (Port)
(Fiscal Impact)

04/16/12; RECEIVED FROM DEPARTMENT.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120280 **[Lease of Real Property Renewal - BRCP 1390 Market, LLC]**
Resolution authorizing a lease amendment to extend the term of the City Attorney lease with BRCP 1390 Market, LLC, for premises at 1390 Market Street (Fox Plaza), consisting of approximately 69,402 square feet, by five years and granting to the City two additional five year extension options. (Real Estate Department)

04/16/12; RECEIVED FROM DEPARTMENT.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120281 **[Lease of Real Property - 220 Golden Gate Clinic, LLC - 230 Golden Gate Avenue]**
Resolution authorizing the lease of approximately 11,700 square feet at 230 Golden Gate Avenue with 220 Golden Gate Clinic, LLC, for the Department of Public Health for use as a health clinic. (Real Estate Department)

04/16/12; RECEIVED FROM DEPARTMENT.

04/24/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriam

Mae Clark – Supervisor Cohen

ADJOURNMENT

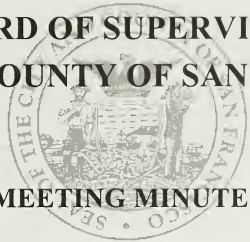
There being no further business, the Board adjourned at the hour of 2:52 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 5, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, May 1, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of March 27, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

120321 [Accept and Expend Grant - FY2011 Urban Areas Security Initiative Grant and Amendment to Annual Salary Ordinance - $35,546,960]
Sponsors: Mayor; Chiu

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative Approval Authority (UASI), to retroactively accept and expend a UASI grant in the amount of $35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

Ordinance No. 078-12

FINALLY PASSED

120284 [De-Appropriating $2,525,468 in Fringe Benefits and Re-Appropriating to Overtime in the Police Department for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $2,525,468 in fringe benefits in the Police Department's operating budget and re-appropriating $2,525,468 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.
(Fiscal Impact)

Ordinance No. 079-12

FINALLY PASSED

120319 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2011-2012]
Sponsor: Mayor
Ordinance recognizing revenue losses of $31,477,332 in the Department of Public Health and appropriating $67,629,934 of Senate Bill 1128 Reimbursement Revenues, $25,620,000 of surplus General Hospital Revenues, and $6,555,007 of General Fund Reserves for State Revenue losses to support additional expenditures in the Department of Public Health including $28,160,000 at San Francisco General Hospital, $13,090,000 at Laguna Honda Hospital, and $27,077,609 for a debt service reserve in FY2011-2012.

Ordinance No. 077-12

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

120079 [Liquor License Transfer - 1192 Guerrero Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 2449-23rd Street to 1192 Guerrero Street (District 8), to Hanna Baqain for Jump Start Coffee & Grocery, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 147-12

ADOPTED

Recommendations of the Land Use and Economic Development Committee

120138 [Changing Official Sidewalk Width - Portions of Golden Gate Avenue, Polk Street, and Redwood Alley]

Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section 1593 to change the official sidewalk width of, a) Golden Gate Avenue starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing west 104 feet, b) Polk Street starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing south for 78 feet, and c) Redwood Alley starting at the northwest corner of the intersection of Polk Street and Redwood Alley and continuing west for 173 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Ordinance No. 080-12

FINALLY PASSED

120276 [Local Support for Cesar Chavez Streetscape Project]

Resolution re-directing a $3,367,985 Congestion Management Agency Block Grant from the Second Street Streetscape Project to the Cesar Chavez Streetscape Project; affirming local support of the project; reiterating commitment of the necessary non-federal match of $436,358; and stating assurance to complete the project. (Public Works Department)

Resolution No. 148-12

ADOPTED

Recommendations of the Public Safety Committee

120224 [Accept and Expend Grant - FY2011 Federal Emergency Management Agency Port Security Grant Program - $1,016,000]

Sponsor: Chiu

Resolution authorizing the San Francisco Police Department to retroactively accept and expend $1,016,000 of FY2011 Port Security Grant Program funds from the Federal Emergency Management Agency.

Resolution No. 149-12

ADOPTED

120323 [Accept and Expend Grant - FY2010 Buffer Zone Protection Program Grant - $585,000]

Sponsor: Chiu

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Buffer Zone Protection Program grant in the amount of $585,000 from the U.S. Department of Homeland Security through the California Emergency Management Agency to fund critical infrastructure protection needs.

Resolution No. 150-12

ADOPTED

Recommendations of the Rules Committee

120344 **[Appointment, Immigrant Rights Commission - Celine Kennelly]**
Sponsor: Elsbernd
Motion appointing Celine Kennelly, term ending June 6, 2013, to the Immigrant Rights Commission. (Clerk of the Board)

Supervisor Elsbernd requested to be added as sponsor.

Motion No. M12-054

APPROVED

120345 **[Appointment, Bicycle Advisory Committee - Timothy Doherty]**
Motion appointing Timothy Doherty, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M12-055

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120283 **[De-Appropriating $6,672,963 in Salaries and Fringe Benefits and Re-Appropriating to Overtime in the Fire Department for FY2011-2012]**
Sponsor: Mayor
Ordinance de-appropriating $6,672,963 consisting of $5,000,000 in salaries and $1,672,963 in fringe benefits in the Fire Department's operating budget and re-appropriating $6,672,963 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

Ordinance No. 081-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120285 [De-Appropriating $320,000 in Salaries and Re-Appropriating to Overtime in the Public Utilities Commission for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $320,000 consisting of $250,000 in salaries in the Public Utilities Commission Clean Water Department operating budget and re-appropriating $250,000 to overtime, and de-appropriating $70,000 in salaries in the Public Utilities Commission Hetch Hetchy Power Department and re-appropriating $70,000 to overtime, in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.
(Fiscal Impact)

Ordinance No. 082-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120275 [Administrative Code - Department of Building Inspection Cash Revolving Fund]
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from $2,000 to $4,500. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120320 [Appropriating $2,694,000 for Nurses Salaries in FY2011-2012]
Sponsor: Mayor
Ordinance appropriating $2,694,000 for Nurses Salaries to the Department of Public Health in FY2011-2012.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120354 [Wastewater Enterprise Commercial Paper Program - Not to Exceed $300,000,000]
Sponsor: Chu
Ordinance authorizing an increase of the Wastewater Enterprise's Commercial Paper Program to an amount not to exceed $300,000,000 to be issued from time to time by the San Francisco Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120355 [2012 Water Revenue Bonds Issuance - Not to Exceed $667,000,000]
Sponsor: Chu

Resolution approving the issuance of water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco not to exceed $650,000,000 to finance various projects under the Water System Improvement Program pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; the issuance of water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco not to exceed $17,000,000 to finance the reimbursement of certain legal settlement costs related to various projects under the Capital Improvement Program pursuant to Proposition A of 2002 enacted by voters on November 5, 2002; the issuance of water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco pursuant to the Charter of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

Resolution No. 151-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120379 [Appropriating $58,700,580 Consisting of $45,000,000 of Certificate of Participation Proceeds, $4,539,337 of Fund Balance and Re-Appropriating $9,161,243 to the Port Commission in FY2011-2012]
Sponsors: Mayor; Chiu and Chu

Ordinance appropriating $58,700,580 consisting of $45,000,000 of Certificate of Participation 2012 Series A and B proceeds, $4,539,337 of fund balance and re-appropriating $9,161,243 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Cruise Terminal Project at Pier 27 and infrastructure and mitigation requirements related to the 34th America's Cup event and the Cruise Terminal Project; and placing $45,000,000 on Controller's Reserve pending sale of the Certificates of Participation.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120380 [Certificates of Participation for Various Port Projects - Not to Exceed $45,000,000]
Sponsors: Mayor; Chiu and Chu

Resolution authorizing the execution and delivery of certificates of participation evidencing an aggregate principal amount of not to exceed $45,000,000 to finance the design, acquisition, construction, reconstruction, expansion, improvement, equipping, renewal, restoration and/or replacement of certain capital improvements to properties of the Port Commission of the City and County of San Francisco; authorizing the selection of a trustee by the Director of Public Finance and approving the form of a trust agreement for the certificates of participation between the City and County of San Francisco and such trustee (including certain indemnities contained therein); approving the forms of a property lease and a project lease between the City and the trustee relating to all or a portion of the real property and improvements located at 375 Laguna Honda Boulevard and all or a portion of the James R. Herman Cruise Terminal at Pier 27; approving a form of memorandum of understanding with the Port Commission of the City and County of San Francisco relating to repayment of the certificates and other matters; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; authorizing the selection of underwriters by the Director of Public Finance and approving the form of a purchase contract between the City and the underwriters relating to the certificates of participation, if sold by negotiated sale; approving the forms of a preliminary and final official statement with respect to the certificates of participation; approving the form of a continuing disclosure certificate; approving the issuance and sale of tax-exempt certificates of participation in an aggregate principal amount not to exceed $45,000,000 following a public hearing; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the certificates of participation; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

Resolution No. 152-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120322 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]
Sponsor: Olague

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120256 [Public Infrastructure Improvements - Mission Bay South-Sanitary Sewer Pump Station]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South-Sanitary Sewer Pump Station, including acquisition facilities located on and under portions of State Trust Parcel 2; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120257 [Public Infrastructure Improvements - Mission Bay South-66" Sewer Force Main Relocation]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South-66" Sewer Force Main Relocation, including acquisition facilities located under portions of State Trust Parcel 8 and future Owens Street between Sixteenth Street and Mariposa Street; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Public Safety Committee

111077 [Police Code - Security Plans for Commercial Parking Garages and Lots]
Sponsors: Chiu; Wiener

Ordinance amending the San Francisco Police Code Sections 1215 through 1215.4 and adding Section 1215.7 to: 1) require a security plan as part of an application for a commercial parking permit; 2) set requirements for security plans; 3) authorize the Chief of Police to suspend or revoke a commercial parking permit for violation of an approved security plan; 4) authorize the Chief of Police to promulgate rules that set requirements for security plans; and 5) authorize enforcement by the City Attorney in a civil action; and making environmental findings.

Supervisor Avalos moved to divide the question relating to conviction history located on Page 6, Lines 15-22. The question PASSED as divided by the following vote:
Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Olague

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120351 [Administrative Code - Police Department Participation in Federal Counterterrorism Activities]

Sponsors: Kim; Avalos, Campos, Chiu, Olague, Mar, Wiener and Cohen

Ordinance amending the San Francisco Administrative Code by adding Section 2A.74 to: 1) set City policy regarding Police Department participation in federal counterterrorism activities; 2) require a public discussion at the Police Commission before the execution of any Memorandum of Understanding with the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 3) set an annual reporting requirement.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 1, Line 18, by adding '(a) This Ordinance shall be known as the "Safe San Francisco Civil Rights Ordinance."; and changing section numbers to reflect the addition of '(a)' throughout the remainder of the Ordinance. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

120341 [Reappointment, Municipal Transportation Agency Board of Director - Malcolm Heinicke]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Malcolm Heinicke, term ending March 1, 2016, to the Municipal Transportation Agency Board of Directors.

Motion No. M12-056

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120346 [Reappointment, Police Commission - Thomas Mazzucco]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Thomas Mazzucco, term ending April 30, 2016, to the Police Commission.

Motion No. M12-057

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120350 [Appointment, Health Commission - Cecilia Chung]

Motion approving the Mayor's appointment of Cecilia Chung, term ending January 15, 2016, to the Health Commission. (Clerk of the Board)

Motion No. M12-058

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Rules Committee Without Recommendation

120347 [Appointment, Police Commission - Suzy Loftus]
Sponsor: Mayor
Motion confirming the Mayor's appointment of Suzy Loftus, term ending April 30, 2016, to the Police Commission.

Motion No. M12-059

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Supervisor Campos, seconded by Supervisor Farrell, moved to consolidate the following four hearings (File Nos. 120332, 120334, 120336, and 120338) related to the proposed acquisition of various properties for the Central Subway/Third Street Light Rail Extension Project into one single hearing. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Board of Supervisors Sitting as a Committee of the Whole

120332 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 55 Stockton Street]
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot Nos. 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 120332, 120333, 120334, 120335, 120336, 120337, 120338, and 120339. John Funghi (Municipal Transportation Agency) provided an overview of the project, proposed acquisitions, and responded to questions raised throughout the discussion. Steve Atkinson (55 Stockton Street) spoke in support of the project. President Chiu indicated receipt of written correspondence in support of the project (77 O'Farrell). There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120333 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 55 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot Nos. 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Absent: 1 - Farrell

Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 153-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120334 **[Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 233 Geary Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel Block No. 0314, Lot No. 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 120332, 120333, 120334, 120335, 120336, 120337, 120338, and 120339. John Funghi (Municipal Transportation Agency) provided an overview of the project, proposed acquisitions, and responded to questions raised throughout the discussion. Steve Atkinson (55 Stockton Street) spoke in support of the project. President Chiu indicated receipt of written correspondence in support of the project (77 O'Farrell). There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120335 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 233 Geary Street]
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel Block No. 0314, Lot No. 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Absent: 1 - Farrell

Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 154-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120336 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 77 O'Farrell Street, San Francisco, California, Assessor's Parcel Block No. 0328, Lot Nos. 003 and 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 120332, 120333, 120334, 120335, 120336, 120337, 120338, and 120339. John Funghi (Municipal Transportation Agency) provided an overview of the project, proposed acquisitions, and responded to questions raised throughout the discussion. Steve Atkinson (55 Stockton Street) spoke in support of the project. President Chiu indicated receipt of written correspondence in support of the project (77 O'Farrell). There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120337 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 77 O'Farrell Street, San Francisco, California, Assessor's Parcel Block No. 0328, Lot Nos. 003 and 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Absent: 1 - Farrell

Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 155-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120338 **[Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 150 Stockton Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 150 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0313, Lot No. 018, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 120332, 120333, 120334, 120335, 120336, 120337, 120338, and 120339. John Funghi (Municipal Transportation Agency) provided an overview of the project, proposed acquisitions, and responded to questions raised throughout the discussion. Steve Atkinson (55 Stockton Street) spoke in support of the project. President Chiu indicated receipt of written correspondence in support of the project (77 O'Farrell). There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120339 [Acquisition of a Temporary Construction License By Eminent Domain - Central Subway/Third Street Light Rail Extension - 150 Stockton Street]
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 150 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0313, Lot No. 018, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Absent: 1 - Farrell

Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 156-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Donna Mandel of IFPTE Local 21 in recognition of her important work with the City and County of San Francisco.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Mei Ling Hui of IFPTE Local 21 in recognition of her important work with the City and County of San Francisco.

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to the Vapor Room for their model leadership in the Medical Cannabis Dispensary field and their active community engagement in the Lower Haight Neighborhood.

Supervisor Farrell introduced, welcomed, and presented Certificates of Honor to Gordon Sharafinski in recognition of his commitment to Schools of the Sacred Heart, accomplishments, and continued community support.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Andrea Shurley in recognition of her commitment to Schools of the Sacred Heart, accomplishments, and continued community support.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Sister Anne Wachter in recognition of her commitment to Schools of the Sacred Heart, accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

120262 [Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012).

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to May 22, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the Hearing open to May 22, 2011.

120263 [Affirming the Exemption Determination - 1100 Lombard Street]

Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 22, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120264 [Reversing the Exemption Determination - 1100 Lombard Street]

Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 22, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120265 [Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 22, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 4:00 P.M.

120266 [Public Hearing - Appeal of a Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated March 22, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0030E, through its Motion No. 18560, for the proposed mixed-use, residential, commercial, fitness center, and public open space project at 8 Washington Street/Seawall Lot 351. (District 3) (Appellant: Zane O. Gresham on behalf of Equity Office Properties, Filed March 26, 2012; Sue Hestor on behalf of Friends of Golden Gateway, Filed April 4, 2012).

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Kim, seconded by Supervisor Chu, moved that this Hearing be CONTINUED to May 15, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the Hearing open to May 15, 2011.

120267 [Affirming Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Chu, moved that this Motion be CONTINUED to May 15, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120268 [Reversing Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.

Supervisor Kim, seconded by Supervisor Chu, moved that this Motion be CONTINUED to May 15, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120269 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Chu, moved that this Motion be CONTINUED to May 15, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Cohen was noted absent at 2:52 p.m. and noted present at 3:06 p.m.
Supervisor Farrell was noted absent at 2:59 p.m. and noted present at 3:20 p.m.
Supervisor Olague was noted absent at 3:20 p.m. and noted present at 3:29 p.m.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Michael Yaki; expressed support for Central Subway Project funding.
Peter Hartman; expressed support for Central Subway Project funding.
Alton Chinn; expressed support for Central Subway Project funding.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yep; expressed various concerns.
Linda Lee; expressed support for Central Subway Project funding.
Patrick Collins; expressed support for Central Subway Project funding.
Dave Terheyden; expressed support for Central Subway Project funding.
Pat Karinen; expressed support for Central Subway Project funding.
Dick Millet; expressed support for Central Subway Project funding.
James Chaffee; expressed concerns relating to the SF Public Library.
Stephen Taber; expressed support for Central Subway Project funding.
Male Speaker; expressed concerns relating to parking meters operating on Sunday.
Karin Flood; expressed support for Central Subway Project funding.
Charley Lavery; expressed support for Central Subway Project funding.
David De La Torre; expressed support for Central Subway Project funding.
Javier Flores; expressed support for Central Subway Project funding.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120412 [Multifamily Housing Revenue Bonds - 833-881 Jamestown - Candlestick Heights - Not to Exceed $80,400,000]

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $80,400,000 for Candlestick Heights - 833-881 Jamestown; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $80,400,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 157-12

ADOPTED

120414 [Accept and Expend Grant - San Francisco Healthy Homes Project - $30,000]
Sponsor: Cohen
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $30,000 from the San Francisco Foundation to support the San Francisco Healthy Homes Project by developing policies and services to improve indoor air quality and reduce toxic pesticides in public housing.

Resolution No. 159-12

ADOPTED

120415 [Multifamily Housing Revenue Bonds - Tenderloin Family Housing - Not to Exceed $22,000,000]
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $22,000,000 for Tenderloin Family Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $22,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 158-12

ADOPTED

120402 [Final Map 6865: 207 - 209-9th-Street]
Motion approving Final Map 6865, a Three Unit Residential, Three Unit Commercial Mixed-Use Condominium Project, located at 207 - 209-9th Street; being a subdivision in Assessor's Block No. 3729, Lot No. 081; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-060

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120417 be severed so that it may be considered separately.

120417 **[Supporting Assurance Funding for the Central Subway Project]**
Sponsors: Wiener; Chiu, Avalos, Mar, Campos, Olague, Cohen, Kim, Chu and Farrell
Resolution supporting SFMTA's commitment to issue revenue bonds as assurance funding for the Central Subway Project in the event of any delay or other shortfall in the availability of funding.

The President inquired as to whether any member of the public wished to address the Board regarding File No. 120629. There were no speakers. The President declared public comment closed.

Resolution No. 146-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120426 **[Proposed Budget and Annual Appropriation Ordinance for Selected Departments, as of May 1, 2012, FYs Ending June 30, 2013, and June 30, 2014]**
Sponsor: Mayor
Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2012, for the FYs ending June 30, 2013, and June 30, 2014.
(Fiscal Impact)

05/01/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120427 **[Proposed Annual Salary Ordinance for Selected Departments, FYs Ending June 30, 2013, and June 30, 2014]**
Sponsor: Mayor
Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the FYs ending June 30, 2013, and June 30, 2014.

05/01/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120428 [Appropriating $587,756,000 for Wastewater Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]
Sponsor: Mayor
Ordinance appropriating $587,756,000 of proceeds from revenue bonds, wastewater revenue, state grants, and bond interest income for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program, comprised of $299,402,000 for FY2012-2013, and $288,354,000 for FY2013-2014, and placing $492,809,000 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, accept and expend a Department of Water Resources administered grant in the amount of $24,147,000 and allow reimbursement of prior expenditures, funded from Wastewater Revenue Bonds, to be funded by the grant retroactive to December, 2011; notably if the State delays the disbursement of the $24,147,000 in grant funding, Wastewater revenue bonds may be substituted as a source for the grant funds.

05/01/12; ASSIGNED to Budget and Finance Committee.

120429 [Appropriating $171,001,000 for Water Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]
Sponsor: Mayor
Ordinance appropriating $171,001,000 of proceeds from revenue bonds, water revenues, and interest income for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program, comprised of $60,084,000 for FY2012-2013 and $110,917,000 for FY2013-14, and placing $115,876,000 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness.

05/01/12; ASSIGNED to Budget and Finance Committee.

120430 [Appropriating $141,171,000 for Hetch Hetchy Water and Power Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]
Sponsor: Mayor
Ordinance appropriating $141,171,000 Hetch Hetchy revenue, Californian Energy Commission loan and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Enterprise's Capital Improvement Program for FY2012-2013, $51,383,000 and FY2013-2014, $89,788,000 and placing $62,823,350 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and loan funds.

05/01/12; ASSIGNED to Budget and Finance Committee.

120431 [Administrative Code - Establishing a Wage Theft Task Force]
Sponsors: Campos; Mar, Chiu, Kim, Avalos, Olague and Cohen
Ordinance amending the San Francisco Administrative Code by adding Sections 5.260 through 5.260-5 to: 1) establishing a Wage Theft Task Force to make recommendations to the Board of Supervisors, regarding how the City may best address wage theft in San Francisco; 2) provide for the Task Force's membership, organization, and duties; and 3) set a sunset date for the Task Force.

05/01/12; ASSIGNED to Public Safety Committee.

120432 [Contract Extension - SFPark - Serco Inc.]
Sponsors: Chiu; Olague
Ordinance authorizing the Municipal Transportation Agency to extend the existing contract with Serco Inc. until June 30, 2014, by waiving the two year limitation on the exception for pilot programs to the competitive procurement requirements of Chapter 21 of the San Francisco Administrative Code; and making environmental findings and findings of consistency with the General Plan.

05/01/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/31/2012.

120433 [Accept and Expend Grant - Replacement of Refrigeration Equipment in Small Businesses - $403,000]
Sponsor: Chu
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $403,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to study the impact that the replacement of old refrigeration equipment in San Francisco businesses would have on energy usage and peak power demand in the City, and amending Ordinance No. 146-11 Annual Salary Ordinance, FY2011-2012 and FY 2012-2013) to reflect the addition of one (1) Class 5640 Environmental Specialist grant funded position (.25 FTE) at the Department of the Environment.

05/01/12; ASSIGNED to Budget and Finance Sub-Committee.

120434 [Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]
Sponsor: Cohen
Ordinance amending the San Francisco Police Code Sections 974.1, 974.2, 974.4, 974.5, 974.6, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26, and 2.27 and repealing Sections 974.10-2, 974.23, and 896 through 898 to: 1) cause all existing junk dealer and junk gatherer permits to expire as of December 31, 2012; 2) establish a new, annual permit for junk dealers; 3) provide for permit suspensions and revocations to remain in effect during any administrative appeal; 4) amend the permit enforcement process; 5) require that junk dealers purchase goods only from licensed contractors and permitted junk dealers; and 6) update fees; and making environmental findings.

05/01/12; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/31/2012.

120435 [Park Code - Marina Small Craft Harbor Fees and Licenses]
Sponsor: Farrell
Ordinance amending the San Francisco Park Code Section 12.11 to: 1) reflect the fees for FY2011-2012 for berthing licenses in the San Francisco Marina Small Craft Harbor; 2) establish a flat daily rate for short-term dock fees; 3) delete fees for obsolete services; 4) add new transfer fee provisions; and 5) authorize annual renewals of berthing licenses pursuant to the Recreation and Park Commission's Marina Rules; and making environmental findings and findings of consistency with the General Plan.

05/01/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/31/2012.

120436 [Appropriating $1,039,600 of Fund Balance in the Marina Yacht Harbor Operating Fund to the Recreation and Park Department for the West Harbor Renovation Project in FY2011-2012]
Sponsor: Farrell
Ordinance appropriating $1,039,600 in fund balance in the Marina Yacht Harbor Operation Fund to the Recreation and Park Department in FY2011-2012 for funding the construction of 36 additional slips as a part of the West Harbor Renovation Project.
(Fiscal Impact)
05/01/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/31/2012.

Resolutions

120437 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]
Sponsor: Mayor
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services for FY2012-2013 and FY2013-2014: employee and public parking management, information booth, security, and shuttle bus services (Airport); paratransit, security, parking citation and collection, meter collection and coin counting, towing, and transit shelter maintenance services (Municipal Transportation Agency); janitorial and security services (Port); security services (Public Utilities Commission).
05/01/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120438 [Accept and Expend Grant - California Volunteers - $125,000]
Sponsor: Mayor
Resolution authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of $125,000 from California Volunteers to recruit and train Disaster Corps volunteers.
05/01/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120439 [Accept and Expend Grant - Boeddeker Park and Clubhouse Project - $4,000,000]
Sponsors: Mayor; Kim
Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant administered by the California State Parks and Recreation Department in the amount of $4,000,000 for the Boeddeker Park and Clubhouse Project.
05/01/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120440 [Accept and Expend Grant - Water-Based Response Capabilities - $215,000]
Sponsor: Chiu
Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $215,000 from the Federal Emergency Management Agency for the FY2011 Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.
05/01/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120441 [Accept and Expend Grant - Electric Vehicle Infrastructure - $173,000]
Sponsor: Mar
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant sub-award of $173,000 from the Association of Bay Area Governments to contribute to the cost of installing publicly available electric vehicle chargers.

05/01/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120442 [Accept Gift - 22 Electric Vehicle Chargers Equipment - $114,000]
Sponsor: Mar
Resolution authorizing the San Francisco Department of the Environment to accept twenty-two electric vehicle chargers and service through December 31, 2013 from Coulomb Technologies, Inc., as a sub-award under Grant DE-EE0003391 using American Reinvestment and Recovery Act Funds from the U.S. Department of Energy to Coulomb Technologies, Inc. for these purposes.

05/01/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120443 [Accept and Expend Grant - SunShot Rooftop Solar Challenge - $71,750]
Sponsor: Chu
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $71,750 from the U.S. Department of Energy's (U.S. DOE) Rooftop Solar Challenge through SolarTech, an initiative of the Silicon Valley Leadership Group, to document and disseminate best practices regarding the reduction of soft costs in order to make solar energy cost competitive with other forms of energy by the end of the decade.

05/01/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120444 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]
Sponsor: Cohen
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

05/01/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120445 [Accept and Expend Grant - Veterans Administration Specialty Care Access Networks Extension for Community Healthcare Outcomes Project - $16,447]
Sponsor: Farrell
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $16,447 from the San Francisco Department of Veterans Affairs Medical Center, to participate in a program entitled Veterans Administration Specialty Care Access Networks Extension for Community Healthcare Outcomes Project for the period of March 1, 2012, through September 30, 2012.

05/01/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120446 [Accept Gift - 15 Electric Vehicle Chargers Equipment - $69,000]
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend 15 electric vehicle chargers from Google, Inc. as a donation.

05/01/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120447 [Urging the Secretary of the Navy to Christen a Ship as the "U.S.S. Harvey Milk"]
Sponsor: Wiener
Resolution urging the Secretary of the Navy to christen a ship as the "U.S.S. Harvey Milk."

05/01/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120448 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices - $5,475]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $5,475 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled San Francisco Hepatitis B Free Best Practices for the period of January 1, 2012, through December 31, 2012, and waiving indirect costs.

05/01/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120449 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices - The San Francisco Foundation - $20,000]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $20,000 from The San Francisco Foundation to participate in a program entitled San Francisco Hepatitis B Free Best Practices The San Francisco Foundation for the period of April 1, 2012, through March 31, 2013, and waiving indirect costs.

05/01/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120450 [Hearing - Youth Commission's Policy and Budget Priorities for FYs 2012-2013 and 2013-2014]
Sponsors: Chiu; Kim and Wiener
Hearing to consider the Youth Commission's Policy and Budget Priorities for FYs 2012-2013 and 2013-2014.

05/01/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120451 [Hearing - Services and Assistance to Families that Experience Sudden Loss of a Family Member]
Sponsor: Olague
Hearing to assess San Francisco's established systems, current policies, and existing capacity to deliver services to survivor's families that experience sudden loss of a family member.

05/01/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTION

120316 **[Street Artist Spaces - Post Street, Northwest Corner, at Stockton Street]**
Resolution approving re-designation for six months two temporary selling spaces on Post Street, northwest corner, at Stockton Street for street artists certified by Arts Commission, City and County of San Francisco. (Arts Commission)

04/16/12; RECEIVED FROM DEPARTMENT.

05/01/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:07 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 12, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
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Tuesday, May 8, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener .

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Elsbernd, moved to approve the Special Board Meeting Minutes at the Land Use and Economic Development Committee Meeting (File Nos. 120209, 111353, and 120286) of April 2, 2012, and the Board Meeting Minutes of April 3, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120424 [Formal Policy Discussions - May 8, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District 1, 3, 5, and 9. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. At our recent budget town hall with District 1, and 5 residents, a young man eloquently expressed his community's frustration at the lack of resources allocated to providing quality education and training to our youth to help them enter our growing technology sector. He noted that most of these jobs are going to people from outside the City who have had the benefit of tech training programs. I am working with small businesses, SF Made and others, on ways to bring more manufacturing related businesses into District 1; my hope is that these businesses will bring with them not just manufacturing but also design and other technology based jobs. It would be ideal if we could create technology education programs for our local middle and high schools that would be used as a feeder for emerging technology related jobs both in my District and Citywide. Can you commit to working with my office to develop funding sources and the mechanisms for such an endeavor? (Supervisor Mar, District 1)

2. In the wake of a decade of budget deficits, when city government needs to doing more with less, there are significant duplicative functions between departments with overlapping jurisdictions. At a time when small businesses need help, they are overwhelmed with the regulations of 14 city departments; San Francisco has one of the highest number of pedestrian accidents in California, but 12 city department's responsibility for pedestrian safety; our many residents interested in urban agriculture have to navigate 7 different departments; over half of our working families don't have access to child care, yet 3 agencies compete to set child care policy; our city contracts are managed by myriad agencies, and our City's IT system still includes multiple email platforms and several dozen data centers. What will your Administration do to consolidate duplicative functions and make the delivery of City services more efficient? (Supervisor Chiu, District 3)

3. The San Francisco Housing Authority is one of the largest providers of housing in San Francisco and serves over 20,000 people. With roughly 20% of the City's public housing stock in District 5, the policy, budgetary, and operational decisions made by the Housing Authority Board of Commissioners and staff significantly impact residents of my district. Similar to the Redevelopment Agency or the School District, the Authority is a quasi City department that provides critical public services to thousands of San Franciscans. Given its large footprint in the City, and in the interest of promoting transparency, accountability, and integrity of local government, how can we work together to invite the Authority more closely into the City family by locating its Commission hearings in City Hall and broadcasting them for greater public access? (Supervisor Olague, District 5)

4. The Mission neighborhood serves as one of San Francisco's rich artistic and cultural centers, highlighting the unique contributions of Latinos, women and local communities. However, some of our local arts organizations are struggling financially given ongoing cuts to arts funding. As we work to preserve and strengthen these important cultural institutions, can we count on your support and engagement? (Supervisor Campos, District 9)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

120275 [Administrative Code - Department of Building Inspection Cash Revolving Fund]
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from $2,000 to $4,500. (Building Inspection Commission)

Ordinance No. 088-12

FINALLY PASSED

120320 [Appropriating $2,694,000 for Nurses Salaries in FY2011-2012]
Sponsor: Mayor
Ordinance appropriating $2,694,000 for Nurses Salaries to the Department of Public Health in FY2011-2012.
(Fiscal Impact)

Ordinance No. 089-12

FINALLY PASSED

120354 [Wastewater Enterprise Commercial Paper Program - Not to Exceed $300,000,000]
Sponsor: Chu
Ordinance authorizing an increase of the Wastewater Enterprise's Commercial Paper Program to an amount not to exceed $300,000,000 to be issued from time to time by the San Francisco Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

Ordinance No. 091-12

FINALLY PASSED

120379 [Appropriating $58,700,580 Consisting of $45,000,000 of Certificate of Participation Proceeds, $4,539,337 of Fund Balance and Re-Appropriating $9,161,243 to the Port Commission in FY2011-2012]
Sponsors: Mayor; Chiu and Chu
Ordinance appropriating $58,700,580 consisting of $45,000,000 of Certificate of Participation 2012 Series A and B proceeds, $4,539,337 of fund balance and re-appropriating $9,161,243 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Cruise Terminal Project at Pier 27 and infrastructure and mitigation requirements related to the 34th America's Cup event and the Cruise Terminal Project; and placing $45,000,000 on Controller's Reserve pending sale of the Certificates of Participation.

Ordinance No. 084-12

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

120322 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]

Sponsor: Olague

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

Ordinance No. 090-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120256 [Public Infrastructure Improvements - Mission Bay South-Sanitary Sewer Pump Station]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South-Sanitary Sewer Pump Station, including acquisition facilities located on and under portions of State Trust Parcel 2; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 085-12

FINALLY PASSED

120257 [Public Infrastructure Improvements - Mission Bay South-66" Sewer Force Main Relocation]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South-66" Sewer Force Main Relocation, including acquisition facilities located under portions of State Trust Parcel 8 and future Owens Street between Sixteenth Street and Mariposa Street; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 086-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Public Safety Committee

111077 [Police Code - Security Plans for Commercial Parking Garages and Lots]
Sponsors: Chiu; Wiener
Ordinance amending the San Francisco Police Code Sections 1215 through 1215.4 and adding Section 1215.7 to: 1) require a security plan as part of an application for a commercial parking permit; 2) set requirements for security plans; 3) authorize the Chief of Police to suspend or revoke a commercial parking permit for violation of an approved security plan; 4) authorize the Chief of Police to promulgate rules that set requirements for security plans; and 5) authorize enforcement by the City Attorney in a civil action; and making environmental findings.

Ordinance No. 087-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120351 [Administrative Code - Police Department Participation in Federal Counterterrorism Activities]
Sponsors: Kim; Avalos, Campos, Chiu, Olague, Mar, Wiener and Cohen
Ordinance amending the San Francisco Administrative Code by adding Section 2A.74 to: 1) set City policy regarding Police Department participation in federal counterterrorism activities; 2) require a public discussion at the Police Commission before the execution of any Memorandum of Understanding with the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 3) set an annual reporting requirement.

Ordinance No. 083-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120274 **[Park Code - Amending Golden Gate Park Concourse Underground Parking Facility and Other Certain Fees; and Changing Controller Reporting Requirements]**
Ordinance amending the San Francisco Park Code, Article 12, by: 1) amending Section 12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden Gate Park Concourse Underground Parking Facility; 2) amending Section 12.20 to revise the Controller's reporting requirement regarding cost recovery; and 3) adding a new Section 12.49 to ratify prior fees and fee adjustments; and 4) making environmental findings and findings of consistency with general plan. (Recreation and Park Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120279 **[Lease of Real Property - Golden Bear Restaurant Company III, dba Mission Rock Resort - 817 Terry A. Francois Boulevard]**
Resolution approving Port Commission Lease No. L-15108 with Golden Bear Restaurant Company III, dba Mission Rock Resort, for restaurant building, deck, and land of approximately 7,924 square feet located at 817 Terry A. Francois Boulevard in the Central Waterfront with a 15 year term and one five year option. (Port)
(Fiscal Impact)

Resolution No. 161-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120280 **[Lease of Real Property Renewal - BRCP 1390 Market, LLC]**
Resolution authorizing a lease amendment to extend the term of the City Attorney lease with BRCP 1390 Market, LLC, for premises at 1390 Market Street (Fox Plaza), consisting of approximately 69,402 square feet, by five years and granting to the City two additional five year extension options. (Real Estate Department)

Resolution No. 162-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120381 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - $12,180,724]

Sponsor: Mayor

Resolution approving the FY2012-2013 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $9,731,577 and to expend Program Income and Reprogrammed Funds in the amount of $2,449,147.

Resolution No. 164-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120382 [Apply for, Accept, and Expend Grant - HOME Program - $3,985,888]

Sponsor: Mayor

Resolution approving the FY2012-2013 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $3,955,888, and to expend Program Income in the amount of $30,000.

Resolution No. 165-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120383 [Apply for, Accept, and Expend Grant - Emergency Shelter Grants Program - $2,151,775]

Sponsor: Mayor

Resolution approving the FY2012-2013 Emergency Shelter Grants Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 Emergency Shelter Grants Program entitlement in the amount of $1,609,318 and accept and expend the second allocation of the City's FY2011-12 Emergency Shelter Grants Program entitlement in the amount of $507,457 from the U.S. Department of Housing and Urban Development and to expend Reprogrammed Funds in the amount of $35,000.

Resolution No. 166-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120384 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - $17,734,214]

Sponsor: Mayor

Resolution approving the FY2012-2013 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $16,204,214 and to expend Program Income in the amount of $1,530,000.

Resolution No. 167-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120386 [Accept and Expend Grant - Zellerbach Family Foundation - $37,000]
Sponsor: Mayor
Resolution authorizing the Adult Probation Department to retroactively accept and expend a grant of consulting services from the Zellerbach Family Foundation through an award to Community Works West in the amount of $37,000 for developing a gender-responsive approach to serving women involved in San Francisco's criminal justice system.

Resolution No. 168-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120287 [Master Tournament Agreement Amendment - Harding Park Golf Course - PGA TOUR, Inc.]
Sponsor: Elsbernd
Resolution approving and authorizing the execution of a Third Amendment to the Master Tournament Agreement with PGA TOUR, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.
(Fiscal Impact)

Resolution No. 163-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120385 [Real Property Lease Amendment - Sixth Street Baldwin House, LLC - 72-6th Street]
Sponsors: Mayor; Kim
Resolution authorizing the lease amendment with Sixth Street Baldwin House, LLC, of approximately 1,932 rentable square feet of ground space located at 72-6th Street for the San Francisco Police Department.

Resolution No. 160-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

111247 [Planning Code - Permitting Five Feet Ground Floor Height Increases in Designated Lots and Prohibiting Certain Lot Mergers Along Geary Boulevard, Balboa Street, and in the Inner and Outer Clement Neighborhood Commercial Districts]
Sponsor: Mar

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a 5 feet ground floor height increase a) in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard, from Masonic Avenue to 28th Avenue, except for designated parcels; b) on NC-2 designated parcels on Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue; and c) in the Inner Clement Street and Outer Clement Street Neighborhood Commercial Districts (NCDs); 2) amending Section 121.7(b) to prohibit lot mergers resulting in lots with street frontages greater than 50 feet in the Inner and Outer Clement NCDs, and in NC-2 Districts on Balboa Street, between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 38th Avenue; and 3) making findings, including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120300 [Planning Code - Article 10 - Landmarks Preservation]
Sponsors: Wiener; Olague

Ordinance amending the San Francisco Planning Code, Article 10, entitled "Preservation of Historical Architectural and Aesthetic Landmarks," in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Mar

Noes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 31, Line 17, by adding 'unit to residents earning 120 percent area median income and below' after 'for-sale'; and adding 'to residents earning 100% area median income and below' after 'housing unit'. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague

Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

Supervisor Wiener, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 11, Line 5, by deleting 'or' after 'Department', and adding ', or any member of the public' after 'owner(s)'; Page 11, Line 6, by adding 'the owner(s) of a proposed landmark site or' after 'submitted by'; Page 11, Line 7, by deleting 'for designation' after 'owners', and adding 'proposed' after 'of a'; Page 11, Lines 10-11, by replacing 'the' with 'a', and adding 'made by property owners as set forth above' after 'nomination'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 29, Lines 11-18, by deleting from 'Development of...' through to '...by that body', and adding 'The Historic Preservation Commission may develop district-by-district design guidelines that meet the Secretary's Standards to be adopted by the HPC, with comments by the Planning Commission.' after 'that body.' The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Mar

Noes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 14, Lines 15-16, by deleting 'in writing' and 'be it in the form of a vote or a survey'; and on Page 14, Lines 20-23, by deleting from 'The Department's...' through to '...proposed district.' The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 3 - Avalos, Campos, Mar

120301 [Planning Code - Article 11 - Historic Preservation in the C-3 Districts]
Sponsors: Wiener; Olague

Ordinance amending the San Francisco Planning Code, Article 11, entitled "Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 Districts," in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).
(Supervisor Mar dissented in committee.)

Supervisor Avalos, seconded by Supervisor Campos, NOT RE-REFERRED to the Land Use and Economic Development Committee, by the following vote:

Ayes: 3 - Avalos, Campos, Mar
Noes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 17, Line 25, by adding 'residential' after 'half of all'; and on Page 18, Line 4, by adding 'residential' after 'owners' and the'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 33, Line 24-25, through Page 34, Lines 1-5, by deleting from 'Development of...' through to '...that body.'; and adding 'The Historic Preservation Commission may develop district-by-district design guidelines that meet the Secretary's Standards to be adopted by the HPC, with comments by the Planning Commission.' after 'that body.' The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Mar
Noes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 17, Lines 23-25, by deleting 'in writing' and 'be it in the form of a vote or a survey, with the goal of obtaining the participation of at least half of all property owners and half of all occupants in the area.'; and on Page 18, Lines 4-5, by deleting from 'The property owners'..." through to "...boundary change.' The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 3 - Avalos, Campos, Mar

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ASIAN-PACIFIC AMERICAN HERITAGE MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Asian-Pacific American Heritage Month, their accomplishments, and their continued community support as referenced below:

Supervisor Wiener recognized Jane Pak (Glenridge Cooperative Nursey School); and
Supervisor Olague recongized Members of the Japanese Cultural and Community Center of Northern California; and
Supervisor Mar recognized Luong Vuong, Members of the Asian Law Caucus, and Members of the Chinese Progessive Assocation; and
Supervisor Kim recognized Tow Kuk Wong (Community Tenants Association); and
Supervisor Farrell recognized Rodney Fong (Planning Commission); and
Supervisor Elsbernd recognized Caryl Ito (Pacific Asian American Women Bay Area Coalition); and
Supervisor Cohen recognized Eddy Zheng (Northwest Community Response Network and Community Youth Center of San Francisco); and
Supervisor Chu recognized Louis Louie (Self Help for the Elderly); and
Supervisor Chiu recognized Sarah Wan (Community Youth Center of San Francisco); and
Supervisor Campos recognized Rachel Ebora (Bernal Heights Neighborhood Center); and
Supervisor Avalos recognized Craig and Tina Wong (Parents and Advocates in District 11); and
Jason Elliott, representing on behalf of Mayor Lee, recognized Bob Hamaguchi (Japantown Task Force).

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Farrell was noted absent at 5:48 p.m. and noted present at 5:59 p.m.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government and Library Commission. (See additional information submitted on Page 320.)
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to noise pollution.
Male Speaker; expressed various concerns relating to the Police Department.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns relating to the National Football League.
Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120443 [Accept and Expend Grant - SunShot Rooftop Solar Challenge - $71,750]
Sponsor: Chu
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $71,750 from the U.S. Department of Energy's (U.S. DOE) Rooftop Solar Challenge through SolarTech, an initiative of the Silicon Valley Leadership Group, to document and disseminate best practices regarding the reduction of soft costs in order to make solar energy cost competitive with other forms of energy by the end of the decade.

Resolution No. 169-12

ADOPTED

120444 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]
Sponsor: Cohen
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 170-12

ADOPTED

120445 [Accept and Expend Grant - Veterans Administration Specialty Care Access Networks Extension for Community Healthcare Outcomes Project - $16,447]
Sponsor: Farrell
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $16,447 from the San Francisco Department of Veterans Affairs Medical Center, to participate in a program entitled Veterans Administration Specialty Care Access Networks Extension for Community Healthcare Outcomes Project for the period of March 1, 2012, through September 30, 2012.

Resolution No. 171-12

ADOPTED

120448 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices - $5,475]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $5,475 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled San Francisco Hepatitis B Free Best Practices for the period of January 1, 2012, through December 31, 2012, and waiving indirect costs.

Resolution No. 173-12

ADOPTED

120449 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices - The San Francisco Foundation - $20,000]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $20,000 from The San Francisco Foundation to participate in a program entitled San Francisco Hepatitis B Free Best Practices The San Francisco Foundation for the period of April 1, 2012, through March 31, 2013, and waiving indirect costs.

Resolution No. 174-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 120446 be severed so that it may be considered separately.

120446 [Accept Gift - 15 Electric Vehicle Chargers Equipment - $69,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment to accept and expend 15 electric vehicle chargers from Google, Inc. as a donation.

Supervisor Mar, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution authorizing the Department of the Environment to accept donation of 15 electric vehicle chargers from Google, Inc.

Resolution No. 172-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120471 [Planning Code - Bicycle Parking; Automotive Service Station Conversions]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code Sections 102.9, 155.1, 155.4, and 228, et. seq. to: 1) expand the applicability of bicycle parking requirements; 2) exempt bicycle parking from Floor-Area ratio calculations; 3) permit the conversion of Automotive Service Stations located on Primary Transit Streets and Citywide Pedestrian Network Streets to another use without Conditional Use authorization; and 4) adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Companion measure to Files 110547 and 110548)
05/08/12; ASSIGNED to Land Use and Economic Development Committee.

120472 [Planning Code - Clerical Modifications and Repeal of Obsolete Sections]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Companion measure to File Nos. 110547 and 110548)
05/08/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120473 [Planning Code - Limited Commercial Uses; Signs, Awnings, and Canopies]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 602.25, 602.26, 607.3, 607.4, 608.10, 790.20, 790.26, 790.58, 890.21, 890.24, and 890.58, and amending Sections 136, 136.1, 186, 188, 249.5, 262, 602.3, 602.9, 602.24, 604, 606, 607, 607.1, 607.2, 608.6, 608.8, 609.8, and various sections of Articles 7 and 8 of the Planning Code, to: 1) allow reactivation of lapsed limited commercial uses in Residential Districts with Conditional Use authorization; and 2) create sign and awning controls for Limited Commercial Uses; 3) revise and consolidate sign, awning, canopy and marquee controls in specified zoning districts; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
05/08/12; ASSIGNED to Land Use and Economic Development Committee.

120474 [Planning Code - Transfer of Development Rights]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code Sections 128 and 819 to permit the transfer of development rights from any eligible building in a Downtown Commercial (C-3) District or the South of Market Extended Preservation District to a development site in a C-3 District; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/08/12; ASSIGNED to Land Use and Economic Development Committee.

120475 [Planning Code and Zoning Map - Chinese Hospital Special Use District]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code by adding Section 249.69 to create the Chinese Hospital Special Use District for the properties at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041) to facilitate development of the Chinese Hospital Replacement Project; amending Sectional Maps ZN01, HT01, and SU01 of the San Francisco Zoning Map to reflect the Chinese Hospital Special Use District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

05/08/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2012.

120428 [Appropriating $587,756,000 for Wastewater Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]
Sponsor: Mayor
Ordinance appropriating $587,756,000 of proceeds from revenue bonds, wastewater revenue, state grants, and bond interest income for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program, comprised of $299,402,000 for FY2012-2013, and $288,354,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, accept and expend a Department of Water Resources administered grant in the amount of $24,147,000 and allow reimbursement of prior expenditures, funded from Wastewater Revenue Bonds, to be funded by the grant retroactive to December 2011; notably if the State delays the disbursement of the $24,147,000 in grant funding, Wastewater Revenue Bonds may be substituted as a source for the grant funds.
(Fiscal Impact)

05/01/12; ASSIGNED to Budget and Finance Committee.

05/08/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

120429 [Appropriating $171,001,000 for Water Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]
Sponsor: Mayor
Ordinance appropriating $171,001,000 of proceeds from revenue bonds, water revenues, and interest income for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program, comprised of $60,084,000 for FY2012-2013, and $110,917,000 for FY2013-14, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness.

05/01/12; ASSIGNED to Budget and Finance Committee.

05/08/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

120430 [Appropriating $141,171,000 for Hetch Hetchy Water and Power Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]
Sponsor: Mayor
Ordinance appropriating $141,171,000 of Hetch Hetchy revenue, Californian Energy Commission loan and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Enterprise's Capital Improvement Program consisting of $51,383,000 for FY2012-2013, and $89,788,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and loan funds.

05/01/12; ASSIGNED to Budget and Finance Committee.

05/08/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions

120476 [Design Agreement Amendment - Laguna Honda Hospital Replacement Program - $51,276,867]
Sponsor: Elsbernd
Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program by increasing the contract amount from $50,799,281 to $53,980,239.
(Fiscal Impact)

05/08/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120477 [Lease Amendment - San Francisco Forty Niners - Candlestick Park Stadium]
Sponsors: Mayor; Farrell
Resolution: 1) approving and authorizing an amendment to the Lease of Candlestick Park Stadium with San Francisco Forty Niners, LLC, to grant the Forty Niners an additional option to terminate the Lease early, between May 31, 2014, and May 31, 2015, providing for the Forty Niners to pay the City $1,000,000 in consideration for the early termination option, and providing that if the Forty Niners exercise the option, the Forty Niners make added minimum guaranteed payments to the City, in lieu of the rent scheduled under the current Lease, of $4,295,000 if the team plays no regular season or post-season NFL games at Candlestick in the 2014 season and up to $5,000,000 more if the team does play such games; 2) approving and accepting the dedication under the amendment of $1,045,000 of such $4,295,000 minimum guaranteed payment for youth programs for the City's Recreation and Park Department; 3) ratifying prior acts; and 4) making environmental findings.

05/08/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120478 [Accept and Expend Grant - Disproportionate Minority Contact Support Project - $100,000]
Sponsors: Olague; Mar
Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of $100,000 from the Federal Formula Grants Program for the Disproportionate Minority Contact Support Project, administered by the Corrections Standards Authority for calendar year 2012, to be used to support the Juvenile Probation Department's efforts to reduce Disproportionate Minority Contact in the Juvenile Justice system.

05/08/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120479 [Accept and Expend Grant - Transportation Development Act, Article 3 - $907,824]
Sponsor: Mayor
Resolution authorizing the acceptance and expenditure of state Transportation Development Act Article 3 funds for various pedestrian and bicycle projects in San Francisco in FY2012-2013, totaling $907,824 including $453,912 for the Department of Public Works and $453,912 for the San Francisco Municipal Transportation Agency.

05/08/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120480 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the Chinese Hospital Special Use District and Replacement Project]
Sponsor: Chiu
Resolution urging the Planning Commission to initiate and consider amendments to Policy 1.2 and Map 1 of the Chinatown Area Plan of the San Francisco General Plan as part of the Chinese Hospital Replacement Project (835 and 845 Jackson Street, Assessor's Block No. 0192, Lot No. 041).

05/08/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120481 [Ron Isola Day - May 19, 2012]
Sponsors: Farrell; Elsbernd
Resolution declaring May 19, 2012, Ron Isola Day in the City and County of San Francisco.

05/08/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120482 [Public Works Week - May 20-26, 2012]
Sponsor: Kim
Resolution commending the men and women of the Department of Public Works and proclaiming May 20-26, 2012, as Public Works Week in the City and County of San Francisco.

05/08/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120483 [Urging the United States Congress to Designate May 22nd as "Harvey Milk Day"]
Sponsors: Olague; Campos and Wiener
Resolution urging the United States Congress to designate May 22nd as "Harvey Milk Day", and establishing it as a national holiday.

05/08/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120442 [Accept Gift - 22 Electric Vehicle Chargers Equipment - $114,000]
Sponsor: Mar
Resolution authorizing the San Francisco Department of the Environment to accept 22 electric vehicle chargers and service through December 31, 2013, from Coulomb Technologies, Inc., as a sub-award under Grant DE-EE0003391 using American Reinvestment and Recovery Act Funds from the U.S. Department of Energy to Coulomb Technologies, Inc., for these purposes.

05/01/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

05/08/12; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

120455 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2012, at 3:00 p.m., to hold a public hearing on a resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

05/08/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120456 [Public Hearing - Report of Assessment Costs for Blighted Properties]
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

05/08/12; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

120484 [Hearing - Transitional Kindergarten]
Sponsor: Campos
Hearing on the San Francisco Unified School District's plans for transitional kindergarten.

05/08/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120485 [Hearing - Cultural Preservation and Social Heritage Special Use Districts]
Sponsors: Olague; Kim and Cohen
Hearing to assess San Francisco's cultural preservation efforts, including the implementation of Senate Bill 307 which identified San Francico's Japantown as one of the three remaining Japantowns in the United States, and the creation of Social Heritage Special Use Districts, that preserves both the Filipino and Lesbian, Gay, Bisexual, Transgender historic districts, including a review of certain African American sites for cultural preservation and social heritage landmark status, and tools the City has available, such as through the Office of Economic and Workforce Development, detailing what support to provide for important social heritage assets, if any.

05/08/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

120458 [General Plan - Van Ness Area Plan Amendments - California Pacific Medical Center: Cathedral Hill Campus]

Ordinance amending the San Francisco General Plan Van Ness Area Plan in order to facilitate the development of a high density medical center at the transit nexus of Van Ness Avenue and Geary Boulevard and reflect various elements of this use; and adopting findings, including environmental findings, Planning Code Section 340 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

04/30/12; RECEIVED FROM DEPARTMENT.

05/08/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2012.

120459 [General Plan Map - California Pacific Medical Center: St. Luke's Campus]

Ordinance amending the General Plan of the City and County of San Francisco by: 1) amending Map 4 of the Urban Design Element to increase the height limit for the California Pacific Medical Center's St. Luke's Campus (Block No. 6575/Lot Nos. 001, 002; Block No. 6576/Lot No. 021, and the portion of San Jose Avenue between Cesar Chavez Street and 27th Street) to 105 feet; and 2) amending Map 5 of the Urban Design Element to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 227' and 270', respectively, for the St. Luke's Replacement Hospital site and 204' and 228', respectively, for the medical office building site at the St. Luke's Campus; and adopting findings, including environmental findings, Section 340 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

04/30/12; RECEIVED FROM DEPARTMENT.

05/08/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2012.

120460 [General Plan Map - California Pacific Medical Center: Cathedral Hill Campus]

Ordinance amending the General Plan of the City and County of San Francisco by: 1) amending Map 4 of the Urban Design Element to allow for development up to a height of 265 feet on the block bounded by Van Ness Avenue, Geary Boulevard, Franklin and Post Streets; 2) amending Map 5 of the Urban Design Element to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 385' and 466', respectively, for the Cathedral Hill Hospital site and 265' and 290', respectively, for the Cathedral Hill MOB site; 3) amending Map 1 of the Van Ness Area Plan, to designate the sites of the proposed Cathedral Hill Hospital and Medical Office Building as the Van Ness Medical Use Subdistrict; and 4) amending Map 2 of the Van Ness Area Plan to create a 265-V height/bulk district coterminous with the Hospital site; and adopting findings, including environmental findings, Planning Code Section 340 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

04/30/12; RECEIVED FROM DEPARTMENT.

05/08/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2012.

PROPOSED RESOLUTIONS

120452 [International Terminal Equipment Maintenance and Operating Agreement - San Francisco Terminal Equipment Company, LLC]
Resolution approving the International Terminal Equipment Maintenance and Operating Agreement between the San Francisco Terminal Equipment Company, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

04/27/12; RECEIVED FROM DEPARTMENT.

05/08/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120453 [Agreement Amendment - Western States Oil - Not to Exceed $107,500,000]
Resolution approving the Sixth Amendment to the agreement between the City and Western States Oil increasing the total not to exceed amount of the contract from $78,300,000 to $107,500,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)

04/27/12; RECEIVED FROM DEPARTMENT.

05/08/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120454 [Lease of Real Property - 1455 Market Street]
Resolution authorizing the lease of 24,440 square feet at 1455 Market Street for seven years plus option to extend for the San Francisco Department of the Environment's Office purposes. (Real Estate Department)

04/30/12; RECEIVED FROM DEPARTMENT.

05/08/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120457 [Report of Assessment Costs for Blighted Properties]
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

04/27/12; RECEIVED FROM DEPARTMENT.

05/08/12; ASSIGNED to Board of Supervisors.

In Memoriams

Judge James Browning – Supervisor Chiu
John Coll – Supervisors Mar and Chiu
Thomas Fazio – Supervisors Elsbernd and Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:12 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 19, 2012.

Angela Calvillo, Clerk of the Board

Addendum

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: I am looking forward to the May 17th, 2012 meeting of this Library Commission. In particular, the Bond Program Manager's Report, which has for a number of months provided figures showing the Friend's had provided $8.8 million of their $16 million pledge toward the Branch Library Improvement Program (BLIP). Based on an Immediate Disclosure Request from July 2011, the Library has finally provided documentation for $3.67 million of that amount and just this week a statement from the Library's Chief Financial Officer (CFO), Maureen Singleton, that the Library has no supporting documents for the remaining amount of $5.17 million! The fact that this figure has been reported a number of times by the Bond Manager, Lena Chen, raises the question of how that large amount is being represented to the Library Commission and the Public as "expended/encumbered" when the Library has nothing to support those representations? It should be interesting!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
DEC 3 0 2013
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, May 15, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisors Kim, Mar and Olague were noted absent. There was a quorum.

At 2:09 p.m., Supervisor Olague was noted present.
At 2:10 p.m., Supervisors Kim and Mar were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Special Board Meeting Minutes at the Land Use and Economic Development Committee Meeting (File No. 120126) of April 9, 2012, and the Board Meeting Minutes of April 10, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

120274 **[Park Code - Amending Golden Gate Park Concourse Underground Parking Facility and Other Certain Fees; and Changing Controller Reporting Requirements]**
Ordinance amending the San Francisco Park Code, Article 12, by: 1) amending Section 12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden Gate Park Concourse Underground Parking Facility; 2) amending Section 12.20 to revise the Controller's reporting requirement regarding cost recovery; and 3) adding a new Section 12.49 to ratify prior fees and fee adjustments; and 4) making environmental findings and findings of consistency with general plan. (Recreation and Park Department)

Ordinance No. 093-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

111247 [Planning Code - Permitting Five Feet Ground Floor Height Increases in Designated Lots and Prohibiting Certain Lot Mergers Along Geary Boulevard, Balboa Street, and in the Inner and Outer Clement Neighborhood Commercial Districts]

Sponsor: Mar

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a 5 feet ground floor height increase a) in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard, from Masonic Avenue to 28th Avenue, except for designated parcels; b) on NC-2 designated parcels on Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue; and c) in the Inner Clement Street and Outer Clement Street Neighborhood Commercial Districts (NCDs); 2) amending Section 121.7(b) to prohibit lot mergers resulting in lots with street frontages greater than 50 feet in the Inner and Outer Clement NCDs, and in NC-2 Districts on Balboa Street, between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 38th Avenue; and 3) making findings, including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

Ordinance No. 092-12

FINALLY PASSED

120316 [Street Artist Spaces - Post Street, Northwest Corner, at Stockton Street]

Resolution approving re-designation for six months two temporary selling spaces on Post Street, northwest corner, at Stockton Street for street artists certified by Arts Commission, City and County of San Francisco. (Arts Commission)

Resolution No. 178-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

120300 [Planning Code - Article 10 - Landmarks Preservation]
Sponsors: Wiener; Olague
Ordinance amending the San Francisco Planning Code, Article 10, entitled "Preservation of Historical Architectural and Aesthetic Landmarks," in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

FINALLY PASSED by the following vote:
Ayes: 9 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Nos: 2 - Avalos, Campos

Supervisor Elsbernd, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance No. 094-12

FINALLY PASSED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 3 - Avalos, Campos, Mar

120301 [Planning Code - Article 11 - Historic Preservation in the C-3 Districts]
Sponsors: Wiener; Olague
Ordinance amending the San Francisco Planning Code, Article 11, entitled "Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 Districts," in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).
(Supervisor Mar dissented in committee.)

FINALLY PASSED by the following vote:
Ayes: 9 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Nos: 2 - Avalos, Campos

Supervisor Elsbernd, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance No. 095-12

FINALLY PASSED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 3 - Avalos, Campos, Mar

NEW BUSINESS

Recommendations of the Land Use and Economic Development Committee

120317 [Transportation Code - Fare Evasion and Clipper Card Regulations]
Sponsor: Chiu

Ordinance amending the San Francisco Transportation Code, Division I, Article 7 (Transit Violations) Sections 7.2.101 and 7.2.104 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service and clarify that failure to tag a Clipper card transponder or card reader is a violation of Section 7.2.104; and making environmental findings and technical corrections.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120413 [Agreement - Granting Easement - 1 Cashmere Street]
Sponsor: Cohen

Resolution: 1) approving and authorizing an agreement to grant a nonexclusive perpetual easement in gross over and through the easement area within Assessor's Parcel No. 4720/006, a City parcel located at 1 Cashmere Street, San Francisco, California, for its improvement and maintenance; 2) adopting findings that the conveyance is in conformity with the City's General Plan Referral, as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code, and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; 3) adopting that the Department of City Planning determined that the project was evaluated in the Hunters View Redevelopment Project Environmental Impact Report (Case No. 2007.0168E) and certified on June 12, 2008; and 4) authorizing the City's Acting Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

Resolution No. 180-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Farrell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SMALL BUSINESS WEEK
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Small Business Week, their accomplishments, and their continued community support as referenced below:

Supervisor Mar recognized Taishan Cafe (Henry Liu);
Supervisor Farrell recognized the Marina Times;
Supervisor Chiu recognized Swan Oyster Depot;
Supervisor Chu recognized Polly Ann Ice Cream (Eric Wu);
Supervisor Olague recognized The Booksmith (Christin Evans);
Supervisor Olague recognized Shoe Biz (Mehran Esmaili);
Supervisor Kim recognized Turtle Tower Restaurant (Mr. Pham and Female Speaker);
Supervisor Elsbernd recognized Round Table Pizza (Portola) and Pop Sandwich (Jeff Spiegel);
Supervisor Wiener recognized Canyon Market (Janet Tarlov);
Supervisor Campos recognized El Rio;
Supervisor Cohen recognized Christopher's Books (Tim Minot);
Supervisor Avalos recognized Henry's Hunan Restaurant (Eddie Zhu);
Jason Elliott, representing on behalf of Mayor Lee, and Supervisor Chu, recognized Sunset Shapers (James Mitchell);
Luther Brian, Vice President, Small Business Commission;
Steve Adams, President, Small Business Commission.

SPECIAL ORDER 4:00 P.M.

120266 [Public Hearing - Appeal of a Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated March 22, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0030E, through its Motion No. 18560, for the proposed mixed-use, residential, commercial, fitness center, and public open space project at 8 Washington Street/Seawall Lot 351. (District 3) (Appellant: Zane O. Gresham on behalf of Equity Office Properties, Filed March 26, 2012; Sue Hestor on behalf of Friends of Golden Gateway, Filed April 4, 2012).

The President inquired as to whether any member of the public wished to address the Board. Louise Renne; Brad Paol, FOGG; Zane Gresham, EOP (Appellants); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Pam Baker, Former Director, Mayor's Office of Community Development; Lee Radner, FOGG; Gail Gilman; Bill Petrocelli, Book Passage; Greg Hinds, Hog Island; Ted Lin, Cowgirl Creamery; Glenn Hindecott; Tommi Avicolli- Mecca, Housing Rights Committee; Tony Robles, POOR Magazine and Senior Action Network; Ted Gullickson, San Francisco Tenants Union; Grace Martinez; Trainor Galavez; Debra Benedict, Senior Action Network and Senior Action Collaborative; Betty Traynor, Board, Senior Action Network; Jazzie Collins, Senior Action Network; Joel; Jessica Landy, Senior Action Network; Bob Iwersen, FOGG; Janet Lottenberger; Yvonne Shaw; Zondra Hernandez Vacelli; Karen Mack; Mary Baldwin; Rosia Ecranie; Mia Well; Carrell McCarthy, FOGG; Deborah Smit, FOGG; Female Speaker; Allan Brotsky, Golden Gateway Tenant Association; Philip Lay, FOGG; Michael Lyons, San Francisco Gray Panthers; Kevin OBrian, FOGG; Earl Shipakudo; Mr. Shomaker; Kiri Chase; Ray Eem; Barry Herbertson; Iroko Rikay; Suzanne Ratcliff; Mary Wallace; Tricia Lieberman; Vlalah Sheena; Nan Roth; Chris Shafer; Al Basco; Michael Taylor; Charles Dunchan; Robert Harrer, Barbary Coast Neighborhood Association; Bill Bendovitch; Eric Nat, FOGG; Barbara Stewart; Dick Stewart, FOGG; Sue Hestor, Attorney for Appellants, FOGG; Mitchell Omerberg, Affordable Housing Alliance; Sandy Bernhard; Ernestine Weiss; Bill Hannon, Golden Gateway Tenants Association; Bobby Cohen, San Francisco Tenants Union; Vedica Puri, Past President, Telegraph Hill Dwellers; Tony Chinchillo. All spoke in support of the appeal. AnMarie Rodgers; Paul Maltzer; Kevin Guy (Planning Department); Christine, Deputy City Attorney; Elaine Warren, Deputy City Attorney; Jonathan Stern, Port; provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jonathan Stern, Port; Mr. Snellgrove; Witt Hadley; Ms. Murphy; Mark Swanson, Architect (Project Sponsor); provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. David El Torre, Laborers; Male Speaker; Male Speaker; Male Speaker; Tony Rodriguez; Tim Poland, Housing Action Coalition; Mr. Stockfield; Tim Paulson, Executive Director, San Francisco Labor Council; Allen Martin, President, Martin Company; Male Speaker; Paul Olsen; Matthew Harrison; Female Speaker; Male Speaker; Male Speaker; Ann Halsted; Female Speaker; Male Speaker; Lisray Neery; Vince Courtney; Joe Wilson; John Casey; Tanika Moss, SPUR; Male Speaker; Female Speaker; Male Speaker; Marcie Albert; Ms. Marie; Rick Cardell, Board Member, Russian Hill Neighbors; Cara Brennan; Justin Almon, Waterfront for All; Sara Scott, Jackson Square Historic District Association; Amy Norquist, Owns Greensly; Katie Liddell; Steven Katz; Danny Campbell; Roger Wong; Paula Hewitson; Femal Speaker; Ellen John; Nanette Osher, President, Strict 1; Christian Toby; Male Speaker; Manny Flores, Carpenters Union; Cameron Deal; Jim Chapell, Urban Planner; spoke in support of the project and in opposition to the appeal. Zane Gresham; Louise Renne (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120267 [Affirming Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Chiu

Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-061

Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 3 - Avalos, Campos, Chiu

120268 [Reversing Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Chiu

Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 3 - Avalos, Campos, Chiu

120269 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Chiu

Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 3 - Avalos, Campos, Chiu

SPECIAL ORDER 4:00 P.M.

120397 [Public Hearing - Conditional Use Appeal - 8 Washington Street/Seawall Lot 351] Hearing of persons interested in or objecting to the decision of the Planning Commission's March 22, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ, by its Motion No. 18567 for a Planned Unit Development, including specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking, and to allow development exceeding 50 feet in height within an RC District, to allow a non-accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet pursuant to Planning Code Sections 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, with respect to a proposal to demolish an existing surface parking lot and health club, and to construct a new health club, residential buildings ranging from four to twelve stories in height containing 134 dwelling units, ground floor retail uses totaling approximately 20,000 square feet, and 382 off-street parking spaces within the RC-4 (Residential-Commercial, High Density) District, and the 84-E Height and Bulk District, and adopting findings under the California Environmental Quality Act, on property located at 8 Washington Street/Seawall Lot 351, Assessor's Block No. 0168/Lot No. 058, Block No. 0171/Lot No. 069, and Block No. 0201/Lot Nos. 012-013 (including Seawall Lot 351). (District 3) (Appellant: Sue Hestor on behalf of the Friends of Golden Gateway and subscribed by Supervisors Chiu, Campos, Avalos, Mar, and Kim) (Filed April 17, 2012).

The President inquired as to whether any member of the public wished to address the Board. Louise Renne; Brad Paol, FOGG; Zane Gresham, EOP (Appellants); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Pam Baker, Former Director, Mayor's Office of Community Development; Lee Radner, FOGG; Gail Gilman; Bill Petrocelli, Book Passage; Greg Hinds, Hog Island; Ted Lin, Cowgirl Creamery; Glenn Hindecott; Tommi Avicolli- Mecca, Housing Rights Committee; Tony Robles, POOR Magazine and Senior Action Network; Ted Gullickson, San Francisco Tenants Union; Grace Martinez; Trainor Galavez; Debra Benedict, Senior Action Network and Senior Action Collaborative; Betty Traynor, Board, Senior Action Network; Jazzie Collins, Senior Action Network; Joel; Jessica Landy, Senior Action Network; Bob Iwersen, FOGG; Janet Lottenberger; Yvonne Shaw; Zondra Hernandez Vacelli; Karen Mack; Mary Baldwin; Rosia Ecrarie; Mia Well; Carrell McCarthy, FOGG; Deborah Smit, FOGG; Female Speaker; Allan Brotsky, Golden Gateway Tenant Association; Philip Lay, FOGG; Michael Lyons, San Francisco Gray Panthers; Kevin OBrian, FOGG; Earl Shipakudo; Mr. Shomaker; Kiri Chase; Ray Eem; Barry Herbertson; Iroko Rikay; Suzanne Ratcliff; Mary Wallace; Tricia Lieberman; Vlalah Sheena; Nan Roth; Chris Shafer; Al Basco; Michael Taylor; Charles Dunchan; Robert Harrer, Barbary Coast Neighborhood Association; Bill Bendovitch; Eric Nat, FOGG; Barbara Stewart; Dick Stewart, FOGG; Sue Hestor, Attorney for Appellants, FOGG; Mitchell Omerberg, Affordable Housing Alliance; Sandy Bernhard; Ernestine Weiss; Bill Hannon, Golden Gateway Tenants Association; Bobby Cohen, San Francisco Tenants Union; Vedica Puri, Past President, Telegraph Hill Dwellers; Tony Chinchillo. All spoke in support of the appeal. AnMane Rodgers; Paul Maltzer, Kevin Guy (Planning Department); Christine, Deputy City Attorney; Elaine Warren, Deputy City Attorney; Jonathan Stern, Port; provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jonathan Stern, Port; Mr. Snellgrove; Witt Hadley; Ms. Murphy; Mark Swanson, Architect (Project Sponsor); provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. David El Torre, Laborers; Male Speaker; Male Speaker; Male Speaker; Tony Rodriguez; Tim Poland, Housing Action Coalition; Mr. Stockfield; Tim Paulson, Executive Director, San Francisco Labor Council; Allen Martin, President, Martin Company; Male Speaker; Paul Olsen; Matthew Harrison; Female Speaker; Male Speaker; Male Speaker; Ann Halsted; Female Speaker; Male Speaker; Lisray Neery; Vince Courtney; Joe Wilson; John Casey; Tanika Moss, SPUR; Male Speaker; Female Speaker; Male Speaker; Marcie Albert; Ms. Marie; Rick Cardell, Board Member, Russian Hill Neighbors; Cara Brennan; Justin Almon, Waterfront for All; Sara Scott, Jackson Square Historic District Association; Amy Norquist, Owns Greensly; Katie Liddell; Steven Katz; Danny Campbell; Roger Wong; Paula Hewitson; Femal Speaker; Ellen John; Nanette Osher, President, Strict 1; Christian Toby; Male Speaker; Manny Flores, Carpenters Union; Cameron Deal; Jim Chapell, Urban Planner; spoke in support of the project and in opposition to the appeal. Zane Gresham;

Louise Renne (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120398 [Approving Planning Commission Decision Related to Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]

Motion approving decision of the Planning Commission by its Motion No. 18567, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 12, 2012. The motion FAILED by the following vote:
Ayes: 4 - Avalos, Chiu, Cohen, Wiener
Noes: 7 - Campos, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Motion No. M12-062

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Noes: 3 - Avalos, Campos, Chiu

120399 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]

Motion disapproving decision of the Planning Commission by its Motion No. 18567, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 12, 2012. The motion FAILED by the following vote:
Ayes: 4 - Avalos, Chiu, Cohen, Wiener
Noes: 7 - Campos, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Noes: 3 - Avalos, Campos, Chiu

120400 [Preparation of Findings Related to the Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 12, 2012. The motion FAILED by the following vote:
Ayes: 4 - Avalos, Chiu, Cohen, Wiener
Noes: 7 - Campos, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Supervisor Wiener, seconded by Supervisor Chiu, moved that this motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Noes: 3 - Avalos, Campos, Chiu

COMMITTEE REPORTS

Recommendations of the Budget and Finance Sub-Committee

120192 [Administrative Code - Board Approval of Grants and Grant Increases Over $100,000]
Sponsors: Wiener; Chu
Ordinance amending the San Francisco Administrative Code Section 10.170-1 to set a threshold of $100,000 or more for Board of Supervisors approval of the acceptance and expenditure of grants or increases in grants.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120014 [Airport Lease - Alclear, LLC]
Resolution approving the Expedited Traveler Service Lease between Alclear, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

Resolution No. 175-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120015 [Airport Lease and Operating Agreement - Smarte Carte, Inc. - Not to Exceed $9,406,000]
Resolution approving the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission in an amount not-to-exceed $9,406,000. (Airport Commission)

Resolution No. 176-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120281 [Lease of Real Property - 220 Golden Gate Clinic, LLC - 230 Golden Gate Avenue]
Resolution authorizing the lease of approximately 11,700 square feet at 230 Golden Gate Avenue with 220 Golden Gate Clinic, LLC, for the Department of Public Health for use as a health clinic. (Real Estate Department)

Resolution No. 177-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120387 [Wastewater Enterprise Agreement - Central Bayside System Improvements Project - Not to Exceed $30,000,000]

Sponsor: Cohen

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute Wastewater Enterprise Sewer System Improvement Program funded Agreement No. CS-169, Central Bayside Improvements to provide planning and engineering services for an amount not to exceed $30,000,000 with a duration of 108 months.

Resolution No. 179-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120438 [Accept and Expend Grant - California Volunteers - $125,000]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of $125,000 from California Volunteers to recruit and train Disaster Corps volunteers.

Resolution No. 181-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed, expressed various concerns.
Ray Hartz, Jr.; expressed concerns relating to the SF Public Library.
Male Speaker; commented on the Alex Jones show.
Randall Evans; expressed various concerns.
Francisco Da Costa; expressed concerns about seniors.
Walter Paulson; shared in song certain concerns with the Board.
Jim Hing Gordon, Jr.; expressed various concerns.
Mark Gruberg; expressed concerns regarding taxi issues.
Emil Lawrence; expressed various concerns regarding taxi issues.
Male Speaker; expressed concerns regarding equestrian activities.
Margaret Libby, Executive Director, Mission San Francisco Community Center; expressed various concerns.
Ms. Ramos; expressed concerns regarding pay day lenders.
Carl Seto; expressed concerns regarding pay day lenders.
Male Speaker; expressed concerns regarding pay day lenders.
Jamal; opposing AB 1158.
Douglas Yep; expressed concerns regarding the 49ers leaving town.
Nadia Swaney; expressed concerns regarding the expulsion of Palestinians from their homeland.
Jackie Osidie; expressed concerns regarding the expulsion of Palestinians from their homeland.
Dr. Jess Hanan; expressed concerns regarding the expulsion of Palestinians from their homeland.
Samuel; expressed concerns regarding the expulsion of Palestinians from their homeland.
Missy Misizemore; expressed concerns regarding the expulsion of Palestinians from their homeland.
Zakaris Raba; expressed concerns regarding the expulsion of Palestinians from their homeland.
C. O'Kerry; expressed concerns regarding the expulsion of Palestinians from their homeland.
Miriam; expressed concerns regarding the expulsion of Palestinians from their homeland.
Lilian Tommie; expressed concerns regarding the expulsion of Palestinians from their homeland.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120480 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the Chinese Hospital Special Use District and Replacement Project]
Sponsor: Chiu
Resolution urging the Planning Commission to initiate and consider amendments to Policy 1.2 and Map 1 of the Chinatown Area Plan of the San Francisco General Plan as part of the Chinese Hospital Replacement Project (835 and 845 Jackson Street, Assessor's Block No. 0192, Lot No. 041).

Resolution No. 182-12
ADOPTED

120481 **[Ron Isola Day - May 19, 2012]**
Sponsors: Farrell; Elsbernd
Resolution declaring May 19, 2012, Ron Isola Day in the City and County of San Francisco.

Resolution No. 183-12

ADOPTED

120482 **[Public Works Week - May 20-26, 2012]**
Sponsor: Kim
Resolution commending the men and women of the Department of Public Works and proclaiming May 20-26, 2012, as Public Works Week in the City and County of San Francisco.

Resolution No. 184-12

ADOPTED

120483 **[Urging the United States Congress to Designate May 22nd as "Harvey Milk Day"]**
Sponsors: Olague; Campos and Wiener
Resolution urging the United States Congress to designate May 22nd as "Harvey Milk Day", and establishing it as a national holiday.

Resolution No. 185-12

ADOPTED

120455 **[Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2012, at 3:00 p.m., to hold a public hearing on a resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Motion No. M12-063

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120499 [Memorandum of Understanding - Service Employees International Union, Local 1021]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to be effective July 1, 2012, through June 30, 2014.
05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120500 [Memorandum of Understanding - International Federation of Professional and Technical Engineers, AFL-CIO, Local 21]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers. AFL-CIO, Local 21, to be effective July 1, 2012, through June 30, 2014.
05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120501 [Memorandum of Understanding - Union of American Physicians and Dentists (Unit 17)]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 17), to be effective July 1, 2012, through June 30, 2015.
05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120502 [Memorandum of Understanding - Union of American Physicians and Dentists (Unit 18)]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 18), to be effective July 1, 2012, through June 30, 2015.
05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120503 [Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120504 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120505 [Memorandum of Understanding - San Francisco Institutional Police Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120506 [Memorandum of Understanding - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120507 [Memorandum of Understanding - MOU Multiple Unions (Crafts Coalition)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Title Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120508 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120509 [Memorandum of Understanding - San Francisco Deputy Sheriffs' Association]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120510 [Memorandum of Understanding - San Francisco District Attorney Investigators' Association]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120511 [Memorandum of Understanding - San Francisco Sheriffs' Managers and Supervisors Association]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Sheriffs' Managers and Supervisors Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120512 [Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit), to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120513 [Memorandum of Understanding - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120514 [Memorandum of Understanding - International Brotherhood of Electrical Workers Local Union 6, AFL-CIO]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, AFL-CIO, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120515 [Memorandum of Understanding - Laborers, Local 261]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120516 [Memorandum of Understanding - Transport Workers Union of America, AFL-CIO, Local 200]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120517 [Memorandum of Understanding - Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120518 [Memorandum of Understanding - Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120519 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120520 [Memorandum of Understanding - Municipal Attorneys Association]
Sponsor: Mayor
Ordinance adopting and implementing the mediated arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120521 [Memorandum of Understanding - Municipal Executives' Association]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, to be effective July 1, 2012. through June 30, 2014.
(Supervisor Elsbernd excused from voting.)

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120522 [Compensation for Unrepresented Employees]
Sponsor: Mayor
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2012.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]
Sponsors: Mayor; Wiener and Olague

Ordinance amending Planning Code Article 4 by: 1) making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); and 2) amending Sections 408, 411.1 through 411.5, 411.7, and 411.8 to increase TIDF rates and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012.

120524 [Planning Code - Establishing a New Citywide Transportation Sustainability Fee]
Sponsors: Mayor; Wiener and Olague

Draft Ordinance amending the San Francisco Planning Code by: 1) adding new Sections 411A through 411A.11 to establish a new citywide Transportation Sustainability Fee; 2) amending Section 401 to add definitions reflecting these changes; and 3) making findings, including general findings, environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012.

120525 [General Obligation Bond Election - San Francisco Clean and Safe Neighborhood Parks - $195,000,000]
Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2012, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: $195,000,000 for the construction, reconstruction, renovation, demolition, environmental remediation and/or improvement of park, open space, and recreation facilities and all other structures, improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; making environmental findings and findings of consistency with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact)

05/15/12; ASSIGNED to Government Audit and Oversight Committee.

120526 [Appropriating $265,185,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $265,185,000 of General Obligation Bond, proceeds, approved by voters under Proposition A in the November 2008 election, authorizing the fourth issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for FY2011-2012.

05/15/12; ASSIGNED to Budget and Finance Committee.

120527 [Appropriating $40,410,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Public Utilities Commission in FY2011-2012]

Sponsors: Mayor; Chiu and Chu

Ordinance appropriating $40,410,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond Proceeds to the Public Utilities Commission in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the Bonds.

05/15/12; ASSIGNED to Budget and Finance Committee.

120528 [Administrative, Planning Codes - Historical Property (Mills Act) Contracts and Fee Reduction]

Sponsor: Wiener

Ordinance amending the San Francisco Administrative Code, Chapter 71, entitled "Mills Act Contract Procedures" to amend Section 71.2 to add limitations on eligibility, amend Section 71.3 to add application deadlines, amend Section 71.4 to add a time limit for receipt of the Assessor-Recorder's report, amend Section 71.5 to require use of a standard form contract, and adding new Section 71.7 to require departmental monitoring reports; amending the San Francisco Planning Code by amending Section 356 to reduce the application fee for Mills Act contracts; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012.

Resolutions

120529 [Issuance of Tax Exempt Revenue Obligations - Live Oak School - Not to Exceed $6,750,000]

Sponsor: Cohen

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $6,750,000 to refinance various capital facilities owned by Live Oak School.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120530 [Ground Lease - Retention and Expansion of the San Francisco Wholesale Produce Market]

Sponsors: Mayor; Cohen

Resolution: 1) authorizing a lease of real property and improvements known as the San Francisco Wholesale Produce Market, near 2095 Jerrold Avenue, to the San Francisco Market Corporation, including the lease of the property at 901 Rankin Street; 2) adopting findings pursuant to the California Environmental Quality Act; 3) adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of the City's Planning Code; and 4) authorizing the City Administrator, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.
(Fiscal Impact)

05/15/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120531 [General Obligation Bonds - San Francisco Clean and Safe Neighborhood Parks - $195,000,000]

Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague

Resolution determining and declaring that the public interest and necessity demand improving the safety and quality of neighborhood parks and waterfront open spaces across the City, enhancing water quality and cleaning up environmental contamination along the Bay, replacing unsafe playgrounds, fixing restrooms, improving access for the disabled, and ensuring the seismic safety of park and recreation facilities under the jurisdiction of, or maintained by, the Recreation and Park Commission or the jurisdiction of the Port Commission or any other projects, sites or properties otherwise specified in the ordinance submitting this proposal to the voters, and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of $195,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; making environmental findings and findings of consistency with the General Plan; providing for the City to declare its official intent to reimburse prior expenditures; and waiving the time limits set forth in Administrative Code Section 2.34.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120532 [Sale of General Obligation Bonds - San Francisco General Hospital Improvement - Not to Exceed $265,185,000]

Sponsors: Mayor; Chu

Resolution authorizing and directing the sale of not to exceed $265,185,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2012D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

120533 [Sale of General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed $40,410,000]
Sponsors: Mayor; Chiu and Chu
Resolution authorizing and directing the sale of not to exceed $40,410,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2012E; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

120534 [2012 Homeland Security Grants]
Sponsor: Mayor
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining state and federal financial assistance under various grant programs, including: the FY2012 Urban Areas Security Initiative (UASI) grant, the FY2012 State Homeland Security Grant Program, the FY2012 Emergency Management Performance Grant, and the 2012 California Volunteers Grant Program.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120535 [Approval of Tolling Agreement for America's Cup Litigation]
Sponsor: Mayor
Resolution approving a tolling agreement to toll the statute of limitations to file a lawsuit challenging the approval of the 34th America's Cup Project.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120536 [Opposing Assembly Bill 1158 - "Deferred Deposit Transactions" and Any Expansion of Payday Lending in California]
Sponsors: Campos; Cohen, Olague, Avalos, Chiu, Mar and Kim
Resolution opposing Assembly Bill 1158, regarding deferred deposit transactions and any expansion of payday lending in California.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120537 [Golden Gate Bridge Anniversary Day - May 27, 2012]
Sponsors: Farrell; Elsbernd, Chu, Mar and Campos
Resolution celebrating the 75th anniversary of the Golden Gate Bridge and proclaiming May 27, 2012, to be "Golden Gate Bridge Day" in the City and County of San Francisco.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120538 [Waiver Permitting City Employees to Assist the Department of Elections with the June 5, 2012, Consolidated Primary Election]

Sponsor: Chiu

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 5, 2012, Consolidated Primary Election.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120467 **[Water Revenue Bond Issuance and Sale - Not to Exceed $163,400,000]**
Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed $163,400,000 to finance various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)
(Fiscal Impact)

05/07/12; RECEIVED FROM DEPARTMENT.

05/15/12; ASSIGNED to Budget and Finance Sub-Committee.

120468 **[Power Revenue Bond Issuance and Sale - Not to Exceed $12,300,000]**
Ordinance approving the issuance and sale of power revenue bonds by the San Francisco Public Utilities Commission (SFPUC) in an aggregate principal amount not to exceed $12,300,000 to finance various power capital projects benefitting the SFPUC Power Enterprise, pursuant to Section 9.107(8) of the City Charter; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

05/07/12; RECEIVED FROM DEPARTMENT.

05/15/12; ASSIGNED to Budget and Finance Sub-Committee.

120469 **[Wastewater Revenue Bond Issuance and Sale - Not to Exceed $522,810,000]**
Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed $522,810,000 to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

05/07/12; RECEIVED FROM DEPARTMENT.

05/15/12; ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

Dorothy Johansen – Supervisor Chu
James Earl Lee – Supervisor Olague

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 12:30 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 26, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, May 22, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Chu, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of April 17, 2012, and the Special Meeting Minutes at the Budget and Finance Committee Meeting of April 18, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

120192 **[Administrative Code - Board Approval of Grants and Grant Increases Over $100,000]**
Sponsors: Wiener; Chu
Ordinance amending the San Francisco Administrative Code Section 10.170-1 to set a threshold of $100,000 or more for Board of Supervisors approval of the acceptance and expenditure of grants or increases in grants.

Ordinance No. 097-12

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

120180 [Liquor License - 350 California Street]
Resolution determining that the issuance of a Type 21 off-sale general license to Farid Tawil for S.F. Gift and News, located at 350 California Street (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 192-12

ADOPTED

120195 [Changing the Street Name of Edinburg Street to Edinburgh Street]
Sponsor: Avalos
Resolution authorizing a street name change of Edinburg Street to Edinburgh Street, to correct a spelling discrepancy and eliminate confusion in the delivery of public services.

Resolution No. 193-12

ADOPTED

120441 [Accept and Expend Grant - Electric Vehicle Infrastructure - $173,000]
Sponsor: Mar
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant sub-award of $173,000 from the Association of Bay Area Governments to contribute to the cost of installing publicly available electric vehicle chargers.

Resolution No. 194-12

ADOPTED

120442 [Accept Gift - 22 Electric Vehicle Chargers Equipment - $114,000]
Sponsor: Mar
Resolution authorizing the San Francisco Department of the Environment to accept 22 electric vehicle chargers and service through December 31, 2013, from Coulomb Technologies, Inc., as a sub-award under Grant DE-EE0003391 using American Reinvestment and Recovery Act Funds from the U.S. Department of Energy to Coulomb Technologies, Inc., for these purposes.

Resolution No. 195-12

ADOPTED

Recommendation of the Land Use and Economic Development Committee

120317 [Transportation Code - Fare Evasion and Clipper Card Regulations]
Sponsor: Chiu
Ordinance amending the San Francisco Transportation Code, Division I, Article 7 (Transit Violations) Sections 7.2.101 and 7.2.104 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service and clarify that failure to tag a Clipper card transponder or card reader is a violation of Section 7.2.104; and making environmental findings and technical corrections.

Ordinance No. 096-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120406 [Administrative Code - Film Rebate Program Extension and Funding]
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code Section 57.8 to: 1) extend the Film Rebate Program for two additional years, through June 30, 2014; and 2) increase the total amount of available funds up to $2,000,000 for film rebates during that period.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120433 [Accept and Expend Grant - Replacement of Refrigeration Equipment in Small Businesses - $403,000]

Sponsor: Chu

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $403,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to study the impact that the replacement of old refrigeration equipment in San Francisco businesses would have on energy usage and peak power demand in the City, and amending Ordinance No. 146-11 Annual Salary Ordinance, FY2011-2012 and FY 2012-2013) to reflect the addition of one (1) Class 5640 Environmental Specialist grant funded position (.25 FTE) at the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Avalos Excused from Voting

Supervisor Mar, seconded by Supervisor Campos, moved that Supervisor Avalos be excused from voting on File No. 120069. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Avalos

120069 [Lease of Real Property - T-Mobile West Corporation - 720 Moscow Street]

Resolution authorizing the lease by T-Mobile West Corporation of approximately 160 rentable square feet of ground space located at 720 Moscow Street for the San Francisco Fire Department. (Real Estate Department)
(Fiscal Impact)

Resolution No. 187-12

ADOPTED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Avalos

120408 [Contract Amendment - Addiction, Research, and Treatment, Inc., dba BAART - $26,043,065]

Sponsor: Mayor

Resolution approving an amendment to the contract with Addiction, Research, and Treatment, Inc., dba BAART, for methadone maintenance services to $26,043,065.

Resolution No. 188-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120409 [Contract Amendment - Apollo Health Street, Inc. - $3,675,000]

Sponsor: Mayor

Resolution approving an amendment to the contract with Apollo Health Street, Inc., for retroactive claiming of aged accounts services to $3,675,000 for an additional four years.

Resolution No. 189-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120410 [Contract Amendment - Asian American Recovery Services - $113,859,922]
Sponsor: Mayor
Resolution approving an amendment to the contract with Asian American Recovery Services for fiscal intermediary services to $113,859,922 for an additional four years.

Resolution No. 190-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120411 [Contract Amendment - Triage Consulting Group - $1,823,761]
Sponsor: Mayor
Resolution approving an amendment to the contract with Triage Consulting Group for retroactive claiming of aged accounts services to $1,823,761 for eight years.

Resolution No. 191-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120439 [Accept and Expend Grant - Boeddeker Park and Clubhouse Project - $4,000,000]
Sponsors: Mayor; Kim
Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant administered by the California State Parks and Recreation Department in the amount of $4,000,000 for the Boeddeker Park and Clubhouse Project.

Resolution No. 196-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120479 [Accept and Expend Grant - Transportation Development Act, Article 3 - $907,824]
Sponsor: Mayor
Resolution authorizing the acceptance and expenditure of state Transportation Development Act Article 3 funds for various pedestrian and bicycle projects in San Francisco in FY2012-2013, totaling $907,824 including $453,912 for the Department of Public Works and $453,912 for the San Francisco Municipal Transportation Agency.

Resolution No. 197-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the City Operations and Neighborhood Services Committee

120080 [Liquor License Transfer - 43-6th Street]
Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 181 Eddy Street to 43-6th Street (District 6) to Mark E. Rennie for Club OMG!, LLC, dba Club OMG!, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 198-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120447 [Urging the Secretary of the Navy to Christen a Ship as the "U.S.S. Harvey Milk"]
Sponsor: Wiener
Resolution urging the Secretary of the Navy to christen a ship as the "U.S.S. Harvey Milk."

Resolution No. 202-12

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener
Noes: 2 - Kim, Olague

Recommendations of the Land Use and Economic Development Committee

110716 [Transportation Code - Tour Bus Parking and Loading]
Sponsors: Chiu; Farrell
Ordinance amending the San Francisco Transportation Code, Division I, Article 7 by: 1) amending Section 7.2.27 to remove the restriction on the use of white zones by commercial vehicles and clarify that this Section does not apply to Stands established under Division II of the Code and designated for the use of Tour Buses; 2) amending Section 7.2.38 to establish violations for vehicles other than authorized Tour Buses parking or stopping in restricted Tour Bus Stands and for Tour Buses that exceed posted time limits in such Stands; 3) amending Section 7.2.80 to exclude Tour Bus Stands from otherwise applicable parking restrictions imposed in specified use districts on vehicles required to register with the California Public Utilities Commission; and 4) making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120405 [Police Code - Regulating the Use of Amplified Sound on Unenclosed Tour Buses and Establishing Fee]

Sponsor: Chiu

Ordinance amending San Francisco Police Code Sections 46, 2901, 2916, and 2922, and adding Section 2913, to: 1) clarify that the definition of "Sound Truck" in Section 46 does not include unenclosed tour buses; 2) clarify that the noise restrictions imposed by Article 29 do not apply to the City and County of San Francisco; 3) prohibit the use of amplified sound systems on unenclosed tour buses unless such systems have been certified by the San Francisco Department of Public Health as not being audible from a distance of 50 or more feet from the vehicle or contain volume limiting electronics to meet that requirement; 4) adding a reporting requirement for the Department of Public Health; 5) adding fees for the Department of Public Health approval and issuance of a Certificate of Authorization to Operate Electronically Amplified Sound on Unenclosed Tour Bus; 6) authorize the Department of Public Health and the Police Department to enforce the requirements of Section 2913; 7) clarify that Article 29 should not be construed to conflict with Federal or State laws; and 8) adopt findings, including environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120016 [Street Encroachment - Outdoor Child Play Area - Redwood Street]

Resolution: 1) granting revocable permission to the Public Utilities Commission to occupy a portion of the public right-of-way on Redwood Street, approximately 150 feet west of Polk Street to construct and maintain an outdoor play area accessible to a child care facility within the new building at 525 Golden Gate Avenue (Assessor's Block No. 0766, Lot No. 001); and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

Resolution No. 199-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120456 [Public Hearing - Report of Assessment Costs for Blighted Properties]
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Timothy Hines (Department of Public Works) provided an overview of the assessments. Walter Paulson; shared in song various concerns relating to the assessments. Male Speaker; Female Speaker; Male Speaker (790-22nd Avenue); Male Speaker; spoke objecting to the proposed assessments. Timothy Hines (Department of Public Works) responded to questions raised throughout the discussion and indicated that recent receipt of payment and/or resolution was provided to various properties as referenced in File No. 120457. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Supervisor Elsbernd was noted absent at 4:20 p.m. and noted present at 4:26 p.m.

120457 [Report of Assessment Costs for Blighted Properties]
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

Timothy Hines (Department of Public Works) indicated that the following addresses should be removed from the accompanying report due to recent receipt of payment and/or resolution: 709-22nd Avenue; 3246-22nd Street; 355 Bay Shore Boulevard; 4346 Bush Street; 2664 California Street; 250 Industrial Street; 1801 Larkin Street; 1758 Larkin Street; 4377 Mission Street; 438 O'Farrell Street; 2195 Quesada Avenue; 345 Sloat Boulevard; 1743 Union Street. The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 120457, were received without objection.

Resolution No. 200-12

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Jose Julio Sarria in recognition of his lifelong work as a civil rights activist, his accomplishments, and continued community support. Supervisors Wiener and Olague, and Former Supervisor Harry Britt shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the Members of the Redistricting Task Force in recognition of their accomplishments and continued community support. Supervisors Chiu, Avalos, Mar, Olague, and Campos shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Department of Public Works in recognition of National Public Works Week, their accomplishments, and continued community support.

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Basil "Bill" Katoulous of the Chick-N-Coop Restaurant in recognition of 17 years of service to the community, his accomplishments, and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Assimina Mavromatis of the Richmond District in recognition of her dedication of keeping the neighborhood and District 1 clean and continued community support.

SPECIAL ORDER 4:00 P.M.

120262 [Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012).

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Walter Paulson; Edmond Juicye, expressed various concerns. There were no other speakers.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

President CONTINUED the Hearing open to July 17, 2012.

120263 [Affirming the Exemption Determination - 1100 Lombard Street]
Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

120264 [Reversing the Exemption Determination - 1100 Lombard Street]
Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

120265 [Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Elsbernd

COMMITTEE REPORTS

Recommendations of the Rules Committee

120486 [Appointments, Sunshine Ordinance Task Force - Kitt Grant, David Pilpel, David Sims, Chris Hyland, and Louise Fischer]
Motion appointing Kitt Grant, David Pilpel, David Sims, Chris Hyland, and Louise Fischer, terms ending April 27, 2014, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Motion No. M12-064

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Noes: 1 - Olague

120553 [Appointment, Sunshine Ordinance Task Force - Todd David]

Motion appointing Bruce Wolfe, term ending April 27, 2014, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be AMENDED to replace 'Bruce Wolfe' with 'Todd David' for Seat No. 8. The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Olague

Motion appointing Todd David, term ending April 27, 2014, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Motion No. M12-065

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 1 - Olague

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Paul Courier; expressed various concerns relating to the Housing Authority and SFGovTV.
Ray William Joseph Hartz, Jr.; expressed various concerns relating to the City Attorney, SF Public Library, and open government.
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Tom Gilberty; expressed various concerns.
Pastor Gavin; expressed various concerns relating to the Sunshine Ordinance Task Force and open government.
Male Speaker; expressed various concerns.
Douglas Yep; expressed various concerns.
Richard Knee; expressed various concerns relating to the Sunshine Ordinance Task Force.
Male Speaker; expresed various religious concerns.
Robin Cropp; expressed concerns relating to lyme disease.
Ace Washington; expressed various concerns relating to African-American migration.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120534 [2012 Homeland Security Grants]
Sponsor: Mayor
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining state and federal financial assistance under various grant programs, including: the FY2012 Urban Areas Security Initiative (UASI) grant, the FY2012 State Homeland Security Grant Program, the FY2012 Emergency Management Performance Grant, and the 2012 California Volunteers Grant Program.

Resolution No. 201-12

ADOPTED

120535 [Approval of Tolling Agreement for America's Cup Litigation]
Sponsor: Mayor
Resolution approving a tolling agreement to toll the statute of limitations to file a lawsuit challenging the approval of the 34th America's Cup Project.

Resolution No. 186-12

ADOPTED

120536 [Opposing Assembly Bill 1158 - "Deferred Deposit Transactions" and Any Expansion of Payday Lending in California]
Sponsors: Campos; Cohen, Olague, Avalos, Chiu, Mar and Kim
Resolution opposing Assembly Bill 1158, regarding deferred deposit transactions and any expansion of payday lending in California.

Supervisor Kim requested to be added as a co-sponsor.

Resolution No. 203-12

ADOPTED

120537 [Golden Gate Bridge Anniversary Day - May 27, 2012]
Sponsors: Farrell; Elsbernd, Chu, Mar and Campos
Resolution celebrating the 75th anniversary of the Golden Gate Bridge and proclaiming May 27, 2012, to be "Golden Gate Bridge Day" in the City and County of San Francisco.

Resolution No. 204-12

ADOPTED

120538 [Waiver Permitting City Employees to Assist the Department of Elections with the June 5, 2012, Consolidated Primary Election]
Sponsor: Chiu
Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 5, 2012, Consolidated Primary Election.

Motion No. M12-066

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Charter Amendment

120554 [Charter Amendment - San Francisco Housing Trust Fund and Housing Production Incentive Act]

Sponsors: Mayor; Wiener, Olague, Kim and Avalos

Draft Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.110 to: 1) create a San Francisco Housing Trust Fund by setting aside general fund revenues beginning in FY2013-2014 and ending in FY2043-2044 for the purpose of creating, acquiring, and rehabilitating affordable housing and homeownership programs for households earning up to 120% of the Area Median Income; and 2) incentivizing greater housing production by lowering and stabilizing affordable housing cost impacts on residential projects.

(Economic Impact)

05/22/12; ASSIGNED to Rules Committee.

Ordinances

120555 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Engineers and Architects Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Engineers and Architects Unit), by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Engineers and Architects Unit).

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120556 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - Service Employees International Union, Local 1021]

Sponsor: Mayor

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the Service Employees International Union, Local 1021, by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the Service Employees International Union, Local 1021.

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120557 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Professional/Technical Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Professional/Technical Unit), by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Professional/Technical Unit).

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120558 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Management/Supervisory Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Management/Supervisory Unit), by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Management/Supervisory Unit).

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120559 [Police Code - Prohibiting Obstructing Sidewalks Adjacent to White Zones]

Sponsors: Campos; Avalos and Mar

Ordinance amending the San Francisco Police Code by adding Section 65 to prohibit obstructing sidewalks adjacent to white colored curb zones and establish exceptions to the prohibition; and adopting environmental findings.

05/22/12; ASSIGNED to Public Safety Committee.

120560 [Administrative Code - Port of San Francisco Pier Repair and Replacement Work]
Sponsors: Avalos; Chu
Ordinance amending the San Francisco Administrative Code, Article IV, Chapter 6, by adding Section 6.71 to allow the Port of San Francisco to use Port of San Francisco employees to perform demolition, repair, and replacement work on piers under the jurisdiction of the San Francisco Port Commission.

05/22/12; ASSIGNED to Budget and Finance Committee.

120561 [Correcting the Appropriation of Sources in Supplemental Ordinance No. 77-12 in the Department of Public Health for FY2011-2012]
Sponsors: Chu; Mayor
Ordinance correcting the appropriation of Sources in Supplemental Ordinance No. 77-12, an Ordinance recognizing revenue losses of $31,477,332 at the Department of Public Health and appropriating $67,629,934 of SB1128 reimbursement revenues, $25,620,000 of surplus General Hospital revenues, and $6,555,007 of General Fund Reserves for State revenue losses to support additional expenditures in the Department of Public Health including $28,160,000 at San Francisco General Hospital, $13,090,000 at Laguna Honda Hospital, and $27,077,609 for a debt service reserve in FY2011-2012.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

120562 [José Julio Sarria Day - May 22, 2012]
Sponsors: Campos; Olague, Wiener and Kim
Resolution honoring José Julio Sarria for his tremendous contributions to San Francisco's political and cultural life, including being the first openly gay candidate for a political elected office in the United States when he ran for the San Francisco Board of Supervisors in 1961, and declaring May 22, 2012, as José Julio Sarria Day in the City and County of San Francisco.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120563 [Accept and Expend Grant - California Arts Council State Local Partnership Program - $14,400]
Sponsors: Chu; Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $14,400 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120564 [Accept and Expend Grant - Keith Haring Foundation Grant - $15,000]
Sponsor: Chu
Resolution to accept and expend a $15,000 grant from the Keith Haring Foundation to the San Francisco Arts Commission's ArtCare Program to restore and conserve Keith Haring's "Dancing Figures" sculpture, located at Third and Howard Streets.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120565 [Accept and Expend Grant - Keith Haring Foundation Grant - $50,000]
Sponsor: Chu
Resolution to accept and expend a $50,000 grant from the Keith Haring Foundation to the San Francisco Arts Commission's ArtCare Program to restore and conserve Keith Haring's "Dancing Figures" sculpture, located at Third and Howard Streets.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120566 [Accept and Expend Grant - Koret Foundation Grant - $25,000]
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $25,000 from the Koret Foundation for the ArtCare Program.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120567 [Lyme Disease Awareness Month - May 2012]
Sponsors: Kim; Campos
Resolution proclaiming May 2012 as Lyme Disease Awareness Month in the City and County of San Francisco.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120568 [Accept and Expend Grant - FY2011 Regional Catastrophic Preparedness Grant Program Grant - $1,281,976]
Sponsor: Mayor
Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the RCPGP Bay Area Site, and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a FY2011 Regional Catastrophic Preparedness Grant Program grant in the amount of $1,281,976 from the U.S. Department of Homeland Security through the California Emergency Management Agency to enhance emergency planning within the Bay Area region.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120569 [Accept and Expend Grant - California Arts Council's Artist in Schools Grant - $9,600]
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $9,600 from the California Arts Council for the WritersCorps Program at Mission High School.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120570 [Accept and Expend Grant - Walter and Elise Haas Fund's Creative Work Fund - $40,000]
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $40,000 from the Walter and Elise Haas Fund's Creative Work Fund for the WritersCorps Project with Leticia Hernández, "Dar A Luz."

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120571 [Accept and Expend Grant - National Endowment for the Arts Access - $15,000]
Sponsor: Chu
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $15,000 from the National Endowment for the Arts Access to Artistic Excellence Grant Program for the fall 2011 Exhibition, "Shift."

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120572 [Real Property Acquisition, Ground Lease Agreement - Construction of Affordable Housing - MERCY HOUSING CALIFORNIA XLIV - 1180-4th Street]
Sponsor: Kim
Resolution: 1) authorizing the Mayor's Office of Housing as Successor Housing Agency to the Redevelopment Agency to exercise an Agency Purchase Option for Block No. 8711, Lot No. 14, also known as 1180-4th Street located within the Mission Bay South Redevelopment Project Area pursuant to that certain Mission Bay South Owner Participation Agreement and Memorandum of Option between the Redevelopment Agency and FOCIL-MB, LLC; 2) approving and authorizing a long term ground lease to MERCY HOUSING CALIFORNIA XLIV, a California limited partnership, for a term of 75 years with a 24 year extension option, under San Francisco Charter Section 9.118, for the development and operation of affordable housing; and 3) making findings that the acquisition and lease is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1.

05/22/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Request for Hearing

120573 [Hearing - SFUSD Revenue and Additional Support]
Sponsor: Mar
Hearing to allocate a portion of the City's recent unexpected revenue to support the San Francisco Unified School District (SFUSD) and to explore other ways the City can support SFUSD schools.

05/22/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

120539 [Official Advertising, FY2012-2013]
Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising for FY2012-2013. (Office of Contract Administration)

05/09/12; RECEIVED FROM DEPARTMENT.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120540 [Airport Concession Leases - Subway, Jalapeno Grill, Guava & Java, and Mission Bar & Grill]
Resolution approving Amendment No. 2, to Domestic Terminal Food and Beverage Lease No. 03-0185 with Baysubway Airport (Subway); No. 03-0187 with Luna Azul Corporation (Jalapeno Grill); No. 03-0191 with Guava & Java (SFO), Inc. (Guava & Java); and No. 03-0199 with Burger Joint, Inc. (Mission Bar & Grill), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

05/11/12; RECEIVED FROM DEPARTMENT.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120543 [Report of Assessment Costs for Sidewalk and Curb Repairs]
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

05/14/12; RECEIVED FROM DEPARTMENT.

05/22/12; ASSIGNED to Board of Supervisors.

In Memoriam

Sylvia Corpuz - Supervisor Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:01 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 26, 2012.

Angela Calvillo, Clerk of the Board

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